

# Law Enforcement News

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## Neighborhood muscle-flexing

### Berkeley residents reclaim block from druggies in court victory

By Jacob R. Clark

A Berkeley, Calif., small claims court appears to have accomplished what the efforts of the city's police department, housing agencies and property owners were unable to do: clearing a formerly placid neighborhood block of the crack dealers, users and prostitutes that had wreaked havoc and terrified its residents for over a year.

Berkeley-Albany Municipal Court Judge Jennie Rhine awarded 18 residents of the 1100 block of Francisco Street \$1,000 each, plus court costs, on Aug. 29 for the emotional and mental distress they suffered when crack dealers and prostitutes laid siege to their neighborhood. The decision followed a similar ruling — said to be the first in the country — issued by a San Francisco Municipal Court judge who awarded 15 neighbors \$2,000 each because alleged cocaine dealing, violence and noise from a nearby apartment constituted a public nuisance.

#### Fearful of Using Their Street

In an eight-page decision, Rhine wrote: "The neighbors of the Francisco Street apartments experienced excessive noise day and night, resulting in loss of sleep. They involuntarily witnessed drug use and sexual activity. They were propositioned and threatened while on the street to such extent they became fearful of using it freely."

The group, known collectively as the Francisco Street Community Group, filed the suit against property owners Percy and Ruby Davis, charging that the landlords were unwilling to do anything about the situation.

The police made numerous arrests, but the problem did not go away. And rather than allow the

neighborhood to deteriorate further, residents banded together to explore ways of dealing with the problem themselves.

The group discovered a recent California appellate ruling that said "small claims court was the proper forum for complex social issues and that consolidating claims did not constitute a class-action suit," said neighborhood activist Molly Wetzel.

"We consolidated our claims but we came forward in front of the judge and presented [the suit] as a picture of what crack does to a neighborhood," Wetzel told LEN.

The small-claims process was relatively easy: No expensive lawyers were needed and a filing fee of \$4 was affordable enough. The suit, brought in May, was settled quickly because California law requires a hearing within 30 days of filing, and a ruling within 45 days. If the public nuisance continues, a new suit can be filed every 100 days.

#### Tricks in the Schoolyard

Wetzel said the crack users began staking out her racially and economically mixed neighborhood about a year ago. Two units of an apartment building were being used as bases for crack dealers. Residents, noticing an increase in traffic and strangers carousing on the dead-end block, began documenting open drug-dealing and prostitution and reporting it to the Berkeley Police Department.

"There were prostitutes turning tricks in the middle of the day on an abandoned schoolyard picnic table," Wetzel said. "They were shooting up and smoking [crack] in the schoolyard."

In addition, she said, neighborhood women had to endure the

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## Police agencies said to be asleep at the wheel in designing shifts

The topsy-turvy shift schedules maintained by a majority of the nation's police departments are a detriment to the physical and mental health of officers, according to a prominent sleep researcher, and law enforcement agencies could vastly improve the performance of their personnel by implementing schedules that more closely follow the body's daily rhythms.

Dr. Charles Czeisler, director of the Neuroendocrinology Laboratory at Brigham and Women's Hospital in Boston, said shift schedules that complement the workings of the body's internal clock are more beneficial than traditional schedules, which often run directly counter to the body's circadian rhythms. Such ill-planned shift patterns — characterized by frequent changes from day to night duties — can result in chronic fatigue, health problems, sleep disorders, a lowered quality of family life, and, even more dangerous for police officers, lapses in judgment and reduced levels of alertness.

#### Resetting the Clock

Czeisler, through his affiliation with the hospital's Center for Circadian and Sleep Disorders Medicine, has been studying the relationship between body functions and sleep for the past 10 years. It was Czeisler who proved that the body's internal clock could be reset by controlled exposure to bright lights and darkness in 1986, and he continues to expand upon that work today.

Czeisler, who founded the Center for Design of Industrial Schedules in 1980, recently completed a four-and-a-half-year pilot study to redesign work schedules for the Philadelphia Police Department. The benefits of the revised schedules included a 40-percent reduction in the number of automobile accidents involving police officers and better overall work performance. [See accompanying article, this page.]

Several principles govern

Czeisler's approach to shift-work changes.

"The most important thing is that the shift-work schedule should, in general, rotate in a clockwise direction," he said. "That is, they should go from day shifts to evening shifts and from evening shifts to night shifts, rather than going in a counter-clockwise direction, from day shift to night shift, and from night shift to evening shift."

For example, police officers

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## Pilot study in Phila. finds benefits in revised shifts

When Dr. Charles Czeisler completed his study of the shift scheduling changes made in a pilot program in Philadelphia's 35th Police District, recommendations he made to the department included the introduction of a proportional staffing system to allow for optimal utilization of manpower; reversal of the direction of shift rotation to a clockwise rather than counterclockwise direction to alleviate physiological disruptions; an increase in the amount of time an officer spends on each shift from one to three weeks, and replacing the regularly scheduled six-day week with a four- or five-day week.

Czeisler also noted the

following results among personnel who worked under his program for nearly a year, as compared with their former schedules:

¶ Officers reported a four-fold decrease in frequency of poor sleep;

¶ Twice as many officers reported no problems with daytime fatigue;

¶ There was a 25-percent decline in incidences of falling asleep on the job during the night shift;

¶ Officers on the night shift reported that alertness increased by 29 percent;

¶ Officers had 40 percent fewer on-duty automobile accidents per mile as compared

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## What They Are Saying

**"The shift that we work is a killer. It's the worst possible thing for a body to do, to work the way we work."**

Kenneth Rocks, vice president of the Philadelphia Fraternal Order of Police, on a proposed realignment of officers' shifts to comport with the body's own internal rhythms. (22:4)

## 300 issues — and counting

### Our sincere thanks, and continued commitment

*It seems it was not too long ago that we at Law Enforcement News were taking a moment to point out our 200th-issue milestone. But here it is, nearly five years later (the time flies when the deadlines never end), and we're proud to call attention to this, our 300th issue (and counting). That we have come this far is due in no small way to the efforts and support of a number of parties.*

*Since day one, our home base has been John Jay College of Criminal Justice, and we're pleased to be making a contribution to the overall mission of the nation's number-one college of criminal justice. With the unflagging support of the college's president, Dr. Gerald W. Lynch, we have enjoyed an enviable degree of editorial independence and encouragement.*

*We owe a great debt, too, to the ever-growing family of loyal readers, who have stood by us through the past 15 years, and to the men and women of the police profession, for providing us*

*with a seemingly bottomless well from which to draw news and feature material in our specialized field of journalism. Each time we take notice of a police officer or police agency striding vigorously toward a more progressive, more humane, more effective style of law enforcement, we feel our efforts vindicated. To all of the LEN faithful, we offer our thanks in the form of a continued commitment to the highest standards of police journalism.*

*For our 300th issue, we have compiled a roundup of more than two dozen front pages from LEN's history, including, on our cover, our very first issue. In this expanded edition we've tried to chronicle some of the highs and lows of the past 15 years, along with some of the milestones of an often-frenetic period in American law enforcement. We hope you'll enjoy this obridged trip down memory lane, which begins on the next page. Stay with us as we head toward issue number 400 — and beyond.*



# Around the Nation

## Northeast

**DISTRICT OF COLUMBIA** — Police Insp. Melvin Clark told the Washington Post last month that anti-gay violence is on the rise in the district. Gangs of skinhead youths are said to have attacked gays in Georgetown and the Dupont Circle area.

Police officers last month resumed working mandatory overtime to prop up anti-drug efforts. Officers in the 5th, 6th, and 7th districts are working 12-hour shifts. (See LEN, Sept. 30, 1989.)

**MARYLAND** — The Montgomery County Council voted 7-0 last month to stiffen penalties for hate crimes against gays and lesbians. The council reported that the number of gay-bashing incidents in the county rose from 2,000 in 1986 to 7,000 in 1987.

**MASSACHUSETTS** — Boston police, DEA agents and Federal prosecutors have formed a joint anti-drug task force that set up shop Oct. 1.

**NEW JERSEY** — The Camden school system has become the nation's first urban district to adopt

Federal anti-drug guidelines for educating teachers and students about drugs.

A State Police investigation that began after a traffic stop on the New Jersey Turnpike last December has smashed a multi-million-dollar cocaine ring said to have ties to the Cali, Colombia, drug cartel. Thirty-three people were arrested.

**NEW YORK** — Suspended Rochester police officer David Rombough last month pleaded not guilty to charges of official misconduct and petty larceny. Rombough, 25, said he stole money from a drug suspect and gave it to the poor. "It bothered me that this guy was a drug dealer and that there were people out there who could use the money," Rombough said.

**PENNSYLVANIA** — The Pittsburgh school board last month voted 7-0 to discipline students caught using or selling drugs off campus. Pupils arrested will face possible suspension, expulsion, and counseling.

**RHODE ISLAND** — The Rhode Island Civil Liberties Union wants police held responsible for deaths and injuries resulting from high-speed chases. A report by the group said eight deaths and 13 serious injuries occurring

from 1983 to 1987 could have been avoided.

State Senator John Bevilacqua last month appointed a panel to probe the State Police, after the state troopers' union charged that Lieut. Leon Blanchette was forced to retire for providing testimony that embarrassed police officials in a 1988 sex-bias suit.

## Southeast

**ARKANSAS** — Thirty-eight Forrest City police employees last month volunteered for drug testing, in an effort to stop what Chief Joe Goff called gossip about police "messing with drugs."

**FLORIDA** — Seniors Against Crime, a new state program to train older citizens to protect themselves, will begin Jan. 1 in six counties. Fifteen percent of the state's crime victims are said to be over age 55.

**LOUISIANA** — Police in Besurgard Parish — the state's only dry parish, say illegal alcohol sales are common, and they are

prepared to pay \$50 bounties to anyone who can identify violators.

The Ouachita Parish Sheriff's Department has acquired 12 Taser stun guns for use in jail and street emergencies. The weapons deliver a 50,000-volt charge that can paralyze a victim for up to 15 minutes.

**TENNESSEE** — Nov. 6 has been set as the date for a hearing to oust Blount County Sheriff Avery Mills, who was indicted Aug. 2 on charges that he took bribes from a bonding company. Mills, who proclaims his innocence, says he will not resign.

**VIRGINIA** — Chesterfield County Sheriff James Mutispaugh resigned Sept. 21 after being told that the State Police had a videotape of him having sex with an administrative assistant.

**MICHIGAN** — The American Civil Liberties Union says it will challenge Wayne County Robert A. Ficano's plan to stop drivers in heavy drug-trafficking areas to check driver's licenses and vehicle registrations and possibly

search for drugs.

Gregory Dujardine was sentenced last month to life imprisonment for the August 1988 rape of an Ottawa County park attendant. DNA fingerprinting was used for the first time in a state criminal court during Dujardine's trial.

**OHIO** — A suit challenging a new Columbus gun-control law has been transferred to Federal court because it raises constitutional questions. The law, which was to take effect Oct. 1, bans the sale of assault weapons.

**WEST VIRGINIA** — Paul Coleman, founder of a Huntington neighborhood watch program, said last month that he's quitting because of threats from drug dealers and a general lack of support. Said Coleman, "People call me and complain about drugs, but they are not willing to help."

**WISCONSIN** — Four former Marathon County sheriff's employees will be paid \$180,000 to settle a sexual harassment suit. The women claimed that the department's chief deputy made sexual advances toward them.

Former Hillsboro Police Chief Rogie Green was sentenced last

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### Detroit Violence and Youth Gangs Prompt City to Rehire 450 Laid-Off Patrolmen

Detroit officials were forced to rehire 450 laid-off police officers in August after a wave of gang-inspired violence and crime rocked the city.

Deputy Mayor William Beckman Jr. announced the recall after several hundred youths and adults descended on a park concert at Detroit's Cobo Hall and disrupted the event by snatching purses and wallets from members of the audience.

Before the disturbance had ended, one woman had been raped, another man and dozens of persons robbed, according to the police.

After announcing the rehiring, Beckman imposed a 10 P.M. curfew for all children under 18. "Someone's going to get hurt before tonight," he warned. "Don't let it be your child."

The deputy mayor angrily explained that the riot control tactics "was an outrage and flagrant challenge to our authority and to police authority in Detroit, and we failed to act."

The Cobo Hall incident was not the first time this summer that the Detroit department had failed to meet a challenge. Since a multi-million dollar budget crisis had forced the city to cut nearly 30 percent of the force, street gangs have been rampant in some sections of the city.

Detroit's new side has been especially hard on the city's two largest black gangs, the Black P-Opers and the Black Disciples. Two teenagers have been killed and dozens have been arrested on the streets.

One incident that involved the burning and looting of a small grocery store underlaid the problem. The two officers that handled the call said they were considering

### FBI Director Under Fire For Alleged Office Misuse Ford to Retain Kelley in Post

It has been a long, hot summer for Clarence Kelley in August, the FBI Director publicly admitted that he had been "deceived" by aides who failed to inform him about past Bureau misdeeds, and early last week he disclosed that he had accepted gifts from subordinates and may have misused Government property.

Kelley's immediate problem seems to have been solved in his admission. President Ford decided last week to retain him as head of the FBI despite the disclosures that he had accepted free gifts from the President's staff.

A White House statement said that Ford had examined a report on the matter delivered to him by Attorney General Edward H. Levi and had concluded that there was "no adequate justification" for asking Kelley to resign.

"I believe Clarence Kelley has had and will continue to have the capacity to meet the highest standards of the FBI," the President declared.

According to the statement, Ford accepted the Justice Department's decision that the gifts were permissible under relevant federal regulations, and agreed with Levi that Kelley should be allowed to remain in the service for any of the good and services "about which there is the slightest question."

The Justice Department's conclusion was contained in a page report listing the items that had been turned up in the department's continuing investigation of Bureau wrongdoing.

In the report, Levi and his deputy, Harold R. Tyler wrote: "For as it regards all gifts in the same way one considers those which are given for legal purposes, and to require action done with



FBI Director Clarence Kelley

had accepted to ensure that Kelley be removed, according to government sources.

The official's immediate superior, Michael E. Shaheen Jr., who heads the Office of Professional Responsibility, disagreed with Ford and recommended that Kelley be publicly reprimanded, the source added.

During the Ford investigation, Kelley admitted that he had accepted from aides

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### KC Study: Response Time Not Always Major Link To Public Satisfaction With Police Services

Police response time to citizen requests for service is not always the strongest factor affecting citizen satisfaction with police service, according to a report published last week by the Police Foundation.

Based on data gathered with the assistance of the Kansas City, Mo., Police Department, the report concludes that the factors which most influence citizen satisfaction with police service is the comparison between citizen expectations and actual experience.

According to the findings, if response time is not longer than citizens think it should be, the period of response time can be quite long without reducing citizen satisfaction. However, if response time is longer than citizens expect it to be, then their satisfaction with police service may be reduced even though the response time

is relatively rapid.

"Additionally, any pressure on officers to respond immediately to all calls could negatively affect officers' behavior by depriving them of an area of discretion and making them unwilling to initiate some of the time-consuming contacts with citizens which also promote good police-community relations," the report said.

In recommending that police departments play a larger role in forming realistic citizen expectations of response time, the report suggested that "dispatchers could be trained to differentiate those calls requiring immediate response and those for which longer response times would be tolerable. Citizens could be advised of how soon they might reasonably expect the police to respond."

While the foundation report on response time is the first such research to be based on Kansas City data, a more elaborate study of response time is nearing completion by that city's police department under LEAA sponsorship. The latter study is a major attempt to answer key questions about the effects of response time,

particularly regarding how it affects citizens' perceptions of the police and the probability of injury and its consequences.

In a forward to the Police Foundation study, foundation president Patrick V. Murphy and Kansas City Police Chief Joseph D. McNamara noted that the results have definite implications for police management. "Police could use some of their resources to attempt to create more realistic citizen expectations for situations in which short response times cannot improve resolution of the particular matter at hand," they stated. "What police tend to do now is to assume it is their public responsibility of short response times in all instances and to expend the resources required to meet those expectations."

Murphy and McNamara added that the results of the study should be considered with regard to the growing strain on municipal finances. "City budget managers will continue to pressure for more selective use of police resources," they warned. Statistics that were utilized for the

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### 10 Top Police Chiefs Form Leadership Research Group

Ten police chiefs from the nation's largest departments have formed a law enforcement leadership research group which will attempt to improve America's police by promoting research, debate and the professionalization of police management.

In a formal announcement, the chiefs said that the Police Executive Research Forum will draw its members from the ranks of police executives who command the country's largest agencies. They noted that the larger departments have most of the police officers and most, deal with the bulk of the nation's crime problems.

"In a time of growing public cynicism about institutions of government, of law enforcement leaders, of the police, of crime, of justice, of the nation's future, we refuse to accept archaic styles of leadership, to rely on ancient wisdom of police methods, and to tolerate the unwillingness of many police leaders to speak out openly on the complexity of crime and on other police issues," the founding chiefs said in a joint statement.

"American citizens deserve more enlightened and productive crime control and other police services than they now receive," they added. "Our goal is to use our own creative police thinking to create a new era of police leadership."

One of the founding members, Boston Police Commissioner Robert J. Connelley, said that the group will

address the need for a top police leadership group. Executive Director Glen D. King of the International Association of Chiefs of Police called the announcement a "first of its kind" and said it was "just the opposite of what law enforcement needs today."

Many of the chiefs' comments have been incorporated into the new organization's objectives. The chiefs called for "the gradual professionalization of police of management in the forefront of any to the professionalization of police to all levels." They also said that "the model of police chiefs and top administrators that is to be encouraged by the force."

According to the chiefs' announcement, the organization will openly debate "diverse and unorthodox approaches to police improvement" and will sponsor and promote research and the "use of mutually beneficial research findings." Other objectives of the leadership forum include the promotion of "demanding standards of education and integrity" and the development of a national police leadership "which will take public stands on critical issues affecting policing."

Assisted by a \$54,450 grant from the Police Foundation, the initial members of the new organization plan to take the aid of colleagues who share their views and to gradually identify and bring into their

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### Chiefs' Anti-Corruption Guide Previewed at Boston Seminar

A preliminary draft of an anti-corruption manual which urges police chiefs to demonstrate corruption, enforcement responsibility and to seek the recognition of commanders who fail to support departmental policy — was among the topics of discussion at the third annual seminar of the Anti-Corruption Management Project of the John Jay College of Criminal Justice.

More than 100 participants at the conference, held in Boston on October 21-22, heard panels of scholars and criminal justice professionals address a series of work shop sessions with the common theme of "Police Ethics: The Way to Professionalism."

The anti-corruption manual, which is designed to assist the chief administrator who has a more direct role in creating a healthy climate of integrity within his department, stresses that, in formulating a working definition of corruption, a chief must use "value-neutral" language in the same manner as the legislature has "value-neutral" criminal law.

In addition, the manual suggests that community norms should be taken into consideration when defining corruption and in establishing enforcement policy.

Several avenues for communicating the department's anti-corruption policy are proposed by the manual, including the use of press releases and conferences, the publication and distribution of an officer's "Code of Ethics," the development and publication of a list of prohibited actions, and the issuance of an Ethical Review

### Study Says US Recidivism Rate Continuing Long-Term Decrease

The nation's general recidivism rate in the last several decades is below one-third and is decreasing, according to the initial findings of a new extensive analysis of the freedom literature on the treatment of offenders.

The relatively low estimate was released last month in the preliminary report by Robert Marquese and Judith Wilks of their ongoing survey of research on "the impact of programmatic interventions on recidivism."

Designed as a follow-up to an analysis of the nation's "Effectiveness of Correctional Treatment," the new study intends to prepare a comprehensive and systematic research summary which will describe "what works for whom under what conditions."

Some experts consider both the findings and the methodology on which they are based to be unprecedented. One observer noted that the preliminary report will place its findings into a context of controversy over the effectiveness of the criminal justice system, particularly with regard to corrections.

In the report's introduction, the authors explained that their survey is essentially a "review of evaluation." They noted that the central problem is "how knowledge can be cumulative from existing information and brought to bear upon

critical questions of planning and policy."

"The critical question is how to properly combine and synthesize the growing number of studies without interfering with the freedom of scientific inquiry which is the lifeblood of scientific endeavor," they said.

After a summary of the research, the authors' staff at the Center for Knowledge in Criminal Justice Planning gathered and synthesized "all relevant research" that dealt with offender recidivism. "The search produced 3,300 documents," the researchers said. "The initial data analysis focused on 3,300 documents, rates derived from only 128 of these documents."

Marquese and Wilks' data indicated that the general recidivism rate in the U.S. during the last several decades was below the "one-third" rate previously estimated by Dr. David Glaser in 1969.

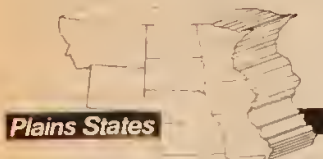
In creating national mean recidivism rates, the researchers found that the overall 1970's figure (23.2%) was lower than it was in the 1960's (25.1%). "The mean recidivism rate for imprisonment was 23.5%," they said. "The mean rate for those discharged without parole supervision (21.5%), the authors noted.

This is also an analysis data concerning the effectiveness of halfway houses and group therapy. It found that reduced rates

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month to 10 months in jail for a sexual assault on a 15-year-old girl. Green, 34, was arrested May 19 and resigned shortly after being charged with sexual assault and burglary.



**IOWA** — Cedar Rapids officials may have to seek another site where police bomb squads can detonate explosive devices, after the city and the new owners of the Benton County Quarry — the current disposal site — were unable to reach agreement on who should be liable for injuries.

**KANSAS** — The Sedgewick County Commission last month banned nude dancing at taverns and clubs after Sheriff Mike Hill told commissioners that those establishments accounted for 93 percent of all calls and a 95.5-percent arrest rate in 18 months. A lawyer for the clubs charged that deputies make up excuses to stop in.

**MINNESOTA** — Officials of the Chippewa National Forest are offering a \$200 reward for information leading to marijuana

grown on Federal land. The U.S. Forest Service says aerial searches have been ineffective.

**NEBRASKA** — An Omaha anti-drug group known as Mad Dads has abandoned its plans for drug-surveillance helicopter flights after receiving complaints. State Senator Ernie Chambers called the group's plan "insane" and an affront to the black community.

**NORTH DAKOTA** — Law enforcement agencies in the Fargo area have raised \$5,700 in contributions that will be used to send six police dogs to drug-detection school.

**WYOMING** — The Rock Springs City Council last month withdrew a request for \$135,000 in Federal funds to open a drug and alcohol treatment center, after neighbors objected to having the center near their homes.



**COLORADO** — Vincent D. Groves has been ordered to stand trial on first-degree murder charges in the 1988 strangling of a Denver prostitute, after

Douglas County Judge Thomas Curry ruled that DNA testing provides clear and convincing evidence in the case. Prosecutors say they had little physical evidence other than the genetic patterns in Groves' blood and semen.

**NEW MEXICO** — A state judge last month ordered a grand jury probe of a prosecutor's allegations that Socorro County Sheriff Felix Saavedra wrongly released his half-brother and a fourth cousin from jail, and altered records to indicate that a magistrate had approved the release of another prisoner.

**OKLAHOMA** — A Stilwell prosecutor has offered to give \$5,000 in money seized from drug traffickers to buy equipment for a voluntary, random drug-testing program for high school students. The local school board approved a plan to give discounts at area stores to students who agree to be tested.

Royce Owens, 25, who was killed by Tulsa police during a robbery April 15, has been linked by DNA testing to four rapes in the "Morning Stalker" and "Southside Stalker" cases, police say. The rape investigations have now been closed.

**TEXAS** — For the first time in

four years, the Dallas City Council last month authorized an across-the-board pay raise for city workers. The raises, effective Oct. 1, including 4.5 percent for police and firefighters and 3 percent for other employees.

**UTAH** — Draper Police Chief Wayne Riley was indefinitely suspended with pay last month pending an investigation by the Salt Lake County Attorney's Office of undisclosed allegations against him.



**CALIFORNIA** — Seven white San Francisco police officers filed suit Sept. 26 charging the city and the Police Department with reverse discrimination. The officers, who allege that they were passed over for promotion in favor of minority officers, are seeking back pay and an end to the alleged discrimination.

Los Angeles police last month seized more than 20 tons of cocaine found in a warehouse that purported to be in the business of importing and selling black-

velvet paintings. The police, guarding against the possibility of an armed assault on the warehouse by drug traffickers seeking to reclaim their wares, sent in a heavily armed SWAT team to secure the premises.

**IDAHO** — Four Teton County sheriff's dispatchers have agreed to do janitorial duties at night in order to save their jobs, which were to be eliminated in the face of budget cuts. The dispatchers agreed to the additional duties so that the county won't have to replace a janitor who quit.

**NEVADA** — In his first day on the job last month, the state's newly appointed crime-prevention coordinator, Chuck Moltz, was stabbed in the back with a hunting knife by an unknown assailant. Moltz was reported in stable condition.

Judge Myron Leavitt ruled Sept. 20 that Clark County Sheriff John Moran was justified in firing Officer Chet Gallagher for leaving his post last Jan. 28 to participate in an anti-abortion protest.

**OREGON** — Corvallis Police Chief Daniel McCollum resigned Sept. 29 after a turbulent year in office capped by a police union vote of no-confidence in his administration.

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### Victim Study Notes 1974-75 Stabilization of Crime Rate

The nation experienced a stabilization in the crime victimization rate between 1974 and 1975 for the crimes of robbery, rape, assault, household burglary, motor vehicle theft, purse snatching, and pocket picking, according to LEAA's latest victim survey.

Based on polls which include crimes not reported to the police as well as those brought to official attention, the survey found that during 1975 there were an estimated 40,481,000 victimizations of persons, households and businesses. The figure includes approximately 21.1 million household and personal larcenies without contact between victim and offender, 4.7 million household burglaries, 1.3 million commercial burglaries, 244,000 commercial robberies, 1.4 million motor vehicle thefts, and 8.4 million crimes of violence.

Although the total number of victimizations in 1975 was two percent higher than the 39,694,000 estimated for 1974, the crime victim rate, based on the number of crimes per 1,000 inhabitants, remained virtually constant because of population increases.

Commenting on the stabilization, Acting LEAA Administrator James H. H. Gregg said, "This finding, based on three

### OK Missouri Deadly Force Law; Court to Rule in Memphis Case

The Supreme Court recently upheld a Missouri law that allows police to use deadly force against escaping suspects who were involved in a nonviolent felony, but the court has been petitioned to review a similar case involving the firearms policy of the Memphis Police Department.

Coming on the heels of a recently released Police Foundation study that called for more restrictive police firearms policies (see story on page 11), the Missouri ruling overturned a December 1, 1976 decision in St. Louis by the United States Court of Appeals for the Eighth Circuit.

In an unsigned unanimous opinion, the court stated that it was unable to consider the constitutional issues raised in regard to the Missouri law because hypothetical rather than substantive matters were at the core of the case as it was presented for review.

The decision involved a 1971 incident in which Robert March, a police officer at Olivette, Missouri, tried to capture one of two persons discovered at 1:10 A.M. in a golf driving range office. March had warned, "Get up at 12 o'clock," and then fired a bullet that killed 16-year-old Michael Mann.

Commenting on the findings, Aron and Keith said that television police programs rarely showed that innocent citizens might be harmed by the improper conduct of law enforcement authorities.

The professors noted that television probably serves as the average citizen's primary exposure to police work, and they voiced the belief that more viewers did not recognize the constitutional violations portrayed and might not recognize such misconduct in real life.

"If crime show violations of the Constitution always were true to be a good thing, then these TV morality plays may amount to nothing more than recreational group therapy," the study said. "For television, the challenge is how to give viewers constitutional values rooted in the TV crime show."

Although the National Crime Council study also maintained the constitutional right to a fair trial, it was brought into court as well.

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### Cincinnati team police study notes improved responsiveness, finds fault with HQ interference

A major study of team policing in Cincinnati has found that while the neighborhood-oriented policing style helps reduce crime and isolates police responsibility, it is difficult to maintain within a centrally structured department.

The study, which was conducted by the Urban Institute for the Police Foundation, noted that the Cincinnati program, called Community Sector Team Policing (COMSTP), was created out of Police District One of the city, which is a 13 square mile area with a resident population of about 17,000 where 29 percent of the reported crime in the city occurred.

Although the burglary rate of the district was reduced by the team policing concept (discussed in the report), the study found that COMSTP merely maintained the status quo in regard to controlling other categories of crime, and that burglaries began to increase as the program started to lose its momentum.

"On the whole, over the 10-month experimental, police-community relations, the authors said, 'The patrol officers involved were enthusiastic about team policing as an idea and as a practice, but they grew disenchanted as a result of what many officers perceived as an undermining of the program by headquarters.'"

Commenting on interference from police officials who were outside the district, the report noted that the team's need for relative autonomy from the rest of the department proved difficult to maintain. "Management decisions made during the latter half of the first 15 months, especially, whether purposefully or not, undermined the integrity of the program and blurred the distinction between District One and the rest of the city," the study found.

Continued on page 14

### LEAA reorganization plan submitted to Carter; new National Institute of Justice proposed

The Law Enforcement Assistance Administration has been directed to submit a proposal to President Carter for a new National Institute of Justice.

Under the plan, three LEAA divisions would remain intact as part of the National Institute of Justice. The National Institute of Law Enforcement and Criminal Justice would remain the Federal crime research branch, the Office of Federal Law Enforcement and Delinquency Prevention would continue as a research and planning unit, and the Office of Community Law Enforcement would remain as a research and planning unit.

Another LEAA unit, the National Institute of Corrections, did not fall as well. Bill's plan calls for the termination of the institute.

But news is also in move for 440 research planning and research units. The survey, Carter's planned reorganization, would cut off the flow of Federal dollars in most fields.

A related proposal would require that

Continued on page 14

"Contrary to the principle that teams would handle all investigations except homicide, vice units were sent into District One more and more often. Inspectors were sent in to insure that discipline was maintained, the control of planning was maintained, and operations became more standardized," the authors said. "Initially, a number of officers, who were part of the department's Vice Investigation Unit at the time of the experiment, were concerned for their connection to the program."

The report emphasized, however, that the allegations of corruption had no effect on the study's data and that the police personnel connected with the project were involved in the study. "More than a year after the disbanding of an officer directly associated with team policing had been

disputed or even mentioned in regard to the alleged corruption and backbiting," the authors said.

In a foreword to the report, Police Foundation President Patrick V. Murphy noted the study, calling it "the largest and most elaborate experiment yet to be conducted in an area of American law enforcement," and noting that it "reflects the belief that the study of police improvement should be developed during the past ten years."

Murphy observed that by 1974 about 60 police agencies had attempted or were attempting various forms of team policing. He added that the concept "presents the potential for better relating modern police activities to crime control and service needs of urban communities and for getting to fuller and more satisfying use of the skills, judgment and education of police officers."

Noting that the arguments of both advocates and opponents of team policing would be served by the study, the Urban Institute researchers said, "No team policing can be better than the best team policing that is possible in a given police agency."

Commenting on the end of the study, the report noted that the study "has clearly shown that the team policing experiment" was about \$100,000 in three percent of the total Cincinnati Police Department's budget. The report suggested, however, that "it is likely that substantial gains in team policing that have been noted can be maintained through traditional police."

In a series of conclusions about COMSTP's effect on police-community relations, the study noted that District One residents felt "less afraid" when walking on their neighborhoods at night, that the citizens believed that officers were more likely to know them, and that the residents and business met in the district observed more frequent use of foot patrol and tended to request the officers who worked in their

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tions and downplays the frequency of mailing-list theft and abuse. DMA says malfeasance practices can be remedied by educating users about proper mailing list practices, but Van Nostrand does not go along with that cheery contention.

The proliferation of computer networks has made it easier for abuses to be carried out, according to Van Nostrand. Companies with lists of customers can rent out their lists and receive lucrative fees in return. Mailing houses rent lists of people who could be potential customers for the particular service or product a mailer wants to offer. List brokers typically act as the middlemen in such transactions, which are usually limited to a one-time use of a list in promoting a certain product or service.

But list renters sometimes use the list over again without paying for it or they may rent lists to surreptitious users. In worst-case scenarios, the renter may simply append the list to its own mailing roster, without paying the list owner.

To prevent these abuses from occurring, list owners have begun to add a few decoy names onto their lists. Many times relatives or friends are enlisted and then monitor what they receive from those who use the list. But, in the tug-of-war world of crime and law

enforcement, some list thieves have formulated techniques to spot decoy names.

Van Nostrand's company has attempted a different approach to monitoring mail: It seeds its clients' lists with decoys derived from its extensive network of former law enforcement agents. The Hackensack, N.J.-based company has also developed techniques it hopes will ensure against its decoys being detected and expunged from lists by those intent on abusing direct-marketing lists.

"The way our system is set up, we can quickly spot and document patterns of unauthorized use," said the former FBI agent, whose 26-year career took him from civil rights duty in Mississippi to counterintelligence missions in New York. "For example, if our client rents out a list for a mutual fund offer but our monitor also receives a life insurance or jewelry offer addressed exactly the same way, that's a clear indication of misuse at the very least."

Mailers themselves often hire Federal Monitoring Service to ensure that their goods are being delivered by the U.S. Postal Service in an accurate and timely fashion. Some of Federal's monitors — sometimes working alongside postal inspectors — have uncovered patterns of in-

competence and theft by postal employees.

## Life saving at a distance

A Dane County, Wis., dispatcher summoned an ambulance for a Washington, D.C., man suffering from cerebral palsy, after the stricken man called a friend in the Wisconsin capital of Madison because he feared D.C. dispatchers would mistake his garbled speech for that of a drunk or mentally ill person.

The roundabout plea for help occurred Aug. 24 when Madison resident Rick Brooks received a call from his unidentified friend in Washington after the man suffered an unspecified injury, according to the Wisconsin State Journal.

"He called me and not 911 in Washington because they would have thought he was drunk or crazy," said Brooks, explaining that his friend feared that anyone he might contact for help would be unable to understand his "grunts and moans."

"He knew I would be able to help," he said.

Brooks could not get through to 911 dispatchers in Washington,

so he contacted Madison's emergency system. Dispatcher Diane Barber sent a teletype message to Washington, explaining the situation, and by the time



## Crime doesn't pay — it costs

To draw public attention to the \$9 million a year it costs to clean and repair vandalized buses of the Southern California Rapid Transit District, Los Angeles city and county officials proclaimed Sept. 26 "Anti-Graffiti Day." Kicking off the new campaign are (l-r.): Transit Police Chief Ernesto Munoz; Larry Gonzalez, chairman of the Police and Public Safety Committee; RTD Board of Directors; and Comdr. William Booth of the Los Angeles Police Department.

## LAW ENFORCEMENT NEWS

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September 21, 1981

Taking the task force to task:

### Democrats unveil their own get-tough crime package

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The package consists of a series of amendments previously submitted by the Senate Judiciary Committee, and some new proposals recently adopted by the Senate Judiciary Committee.

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Federal involvement in arson cases and mandatory sentencing with no parole for felons where a firearm is used or carried. No monetary authorization for increased use of prison facilities is recommended in the Democratic package.

One of the highlights of the Attorney General's task force was its recommendation that \$1 billion be spent over the next four years to build new prisons. The task force also called for using abandoned Federal property for correctional purposes, upgrading corrections on critical districts, and increasing the exclusionary rule for law enforcement personnel.

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You've got a friend: When it comes to civil liability actions against the police, Americans for Effective Law Enforcement rides to the rescue. Executive director Wayne Schmidt explains the ground rules in a LEH interview, Page 8.

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## LAW ENFORCEMENT NEWS

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Colorado tunes out tie tests:

### Polygraph results banned

The Colorado State Supreme Court recently ruled in a unanimous decision that tie detector test results cannot be used in the state as evidence in criminal trials. The ruling, which came in a case involving a man charged with murder, effectively bans the use of the lie detector as evidence in criminal trials.

However, the ruling does not apply to the use of the lie detector in civil cases. The court also ruled that the state's ban on the use of the lie detector in criminal trials does not apply to the use of the lie detector in cases involving the state's interest in public safety.

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Taking the family out for a drive can be a tricky proposition in Prince George's County, Maryland, where officers have been taking their patrol cars home for off duty use. Sounds good — if you don't mind a shopping trip turning into a high speed chase. For details, pull over to Page 3.

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5 Upcoming Events

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# Miranda warnings, examined word by word

By Joseph Welter

More than 20 years after the U.S. Supreme Court devised a bright-line rule defining a suspect's Fifth and Sixth Amendment rights in *Miranda v. Arizona*, there continues to be controversy surrounding the adequacy of the warnings given. In *Miranda*, the Court set out the exact phrasing by which a police officer can effectively inform a suspect of his constitutional rights. In attempting to avoid too rigid a rule, however, the Court stated that "an equivalent" of the suggested warnings would be recognized. This has led to a flood of litigation questioning whether other versions of the *Miranda* warnings are in fact equivalent and whether they "clearly inform" the suspect of his rights. The latest in this long line of cases is *Duckworth v. Eagan* (No. 88-317, decided June 26, 1989), in which a sharply divided Supreme Court upheld a version of the *Miranda* warnings which contains what has become known as an "if and when" clause.

## The Facts of the Case

Gary James Eagan contacted the Chicago Police Department to report that he had seen the naked body of a dead woman on a Lake Michigan beach. Eagan denied

any involvement in the matter, but when the police and Eagan went to the beach, the woman, still alive, claimed that Eagan had stabbed her. Eagan then told the officers that he had been with the woman earlier and they had been attacked by several men who abducted the woman. After it was learned that the crime had been committed in Indiana, the

Hammond police then locked Eagan up for approximately 29 hours, at which time they again interviewed him. He was read a different waiver form by the police, one that reflected the more common *Miranda* warnings, which he subsequently signed. He then proceeded to confess to stabbing the woman. At trial, the state court admitted the confes-

guards. In other words, as long as the suspect's rights are "reasonably conveyed" to him as required by *Miranda*, that is all that matters.

With regard to the "if and when" language, Rehnquist wrote that this phrase accurately represents the procedure for appointment of counsel under Indiana law. The Sixth Amendment

suspect of his rights prior to any questioning. Marshall maintained that the warning given to Eagan stated that he had the right to an attorney prior to questioning, and the next sentence said that one would be appointed if he could not afford one "if and when [he went] to court." Eagan could easily have concluded from the "if and when" caveat that only those accused who can afford an attorney have the right to have one present before answering any questions; those who are not so fortunate must wait.

**"We have no way of giving you a lawyer, but one will be appointed for you, if you wish, if and when you go to court."**

Chicago police turned the investigation over to the Hammond, Ind., police. The Hammond police requested that Eagan come in for questioning, which he agreed to do. When Eagan arrived he was read a waiver form containing a version of the *Miranda* warnings that stated in part:

"You have this right to the advice and presence of a lawyer even if you cannot afford to hire one. We have no way of giving you a lawyer, but one will be appointed for you, if you wish, if and when you go to court" [emphasis added].

After signing the waiver form, Eagan told the same story he had given the Chicago police. The

Hammond police then locked Eagan up for approximately 29 hours, at which time they again interviewed him. He was read a different waiver form by the police, one that reflected the more common *Miranda* warnings, which he subsequently signed. He then proceeded to confess to stabbing the woman. At trial, the state court admitted the confes-

## "Reasonably Conveyed" Rights

In writing for the Supreme Court majority, Chief Justice Rehnquist stated that the procedural safeguards that require police officers to inform criminal suspects of their Fifth and Fourteenth Amendment rights were not violated, even though the warnings were not given in the exact form described in the *Miranda* decision. In *Miranda*, the Court did in fact indicate that a fully effective equivalent is enough to satisfy those procedural safe-

right to counsel only attaches when a suspect is formally charged with a crime, and counsel would be appointed at the suspect's first court appearance. Thus, the statement simply describes when the suspect had a right to counsel. Rehnquist went on to note that it is common for a suspect to ask when his right to counsel attaches. The warnings given simply anticipated this question.

Justice Marshall, joined in dissent by Justices Brennan, Blackmun and Stevens, opined that the phrase "if and when you go to court" violates the requirement in *Miranda* that the warnings must "clearly inform" a

## Key Language Ignored

If Marshall's characterization is accurate, then these warnings violate the "clearly inform" standard under *Miranda*. However, Marshall misconstrues the warnings and ignores key language. The section in question reads:

"You have a right to talk to a lawyer for advice before we ask you any questions, and to have him with you during questioning. You have this right to the advice and presence of a lawyer even if you cannot afford to hire one. We have no way of giving you a lawyer, but one will be appointed for you, if you wish, if and when

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## LAW ENFORCEMENT NEWS

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### After 14 years and \$8 billion, LEAA finally calls it a career

Most people called it by its initials L-E-A-A. Others developed a folk song, calling it "Leah." The Carter Administration called it "Leah's Career." And now it has been called "Leah's Career." The LEAA (Law Enforcement Assistance Administration) has finally called it a career.

LEAA's official name was changed on March 31 by Associate Deputy Attorney General Stanley Morris who testified before the House Education and Labor (subcommittee on human resources) committee. Morris testified that the LEAA was a "career" because it had been around for 14 years and had spent \$8 billion.

Although no new name will be used by LEAA, the change is a symbolic one.

Continued on Page 8

### Citizen delays in reporting crime seen hampering police response

Police forces trying to reduce their response time to most citizen calls report that citizens are waiting too long to report a crime. The Police Citizen Reporting of Serious Crime (PCRS) study, which is the first of a series of studies, shows that citizens are waiting too long to report a crime. The study found that citizens are waiting an average of 10 minutes to report a crime.

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## LAW ENFORCEMENT NEWS

Vol. IX, No. 8

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May 9, 1983

### US crime drops 4%; citizen aid credited

In Arlington, Va., burglaries dropped by 25 percent last year. Police Chief William F. Bower credits the decrease to the community's Neighborhood Watch program. The program, which is a voluntary effort by citizens to watch their neighborhoods, has been successful in reducing crime.

The program, which is a voluntary effort by citizens to watch their neighborhoods, has been successful in reducing crime. The program, which is a voluntary effort by citizens to watch their neighborhoods, has been successful in reducing crime.

Continued on Page 8



In a scene that has been taking place on the streets with increasing frequency, Jacky Karker of MacIntyre, Ind., poses a police officer in a community crime-prevention meeting in 1979. The town had suffered from a five-year plague of burglaries.

## Jumping into the police computer pool:

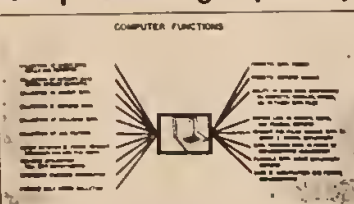
### Developing a data-processing capability

By BILL L. ADY

During the initial stages of the Integrated Criminal Apprehension Program, the focus was on information processing. This was done by developing a data-processing capability.

The ICAP (Integrated Criminal Apprehension Program) is a computerized system for processing criminal justice data.

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## THE ICAP STORY

Think of it as a series

of problems with providing timely

and accurate information to sup-

port the problem-oriented focus of ICAP.

The solution to the problem was to

develop a data-processing capability.

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maneuvered and crime analysis systems were maintained. This approach gave the departments involved single time to improve their source documents, identify informational needs and experiment without making major expenditures on data processing. By slowing the rush to jump into automated systems, ICAP cities have been able to make significant contributions to the understanding of how one should approach the automation of police information systems and to the development of

application software. These contributions are discussed in greater detail below as is the system that was implemented in Detroit, Calif.

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## Is this the beginning of little RICO?

### States get tough with organized crime

State laws designed to enable law enforcement officials to crack down on organized crime, many of them modeled on the Federal Racketeer Influenced and Corrupt Organizations (RICO) statute, have been adopted in at least 18 states and are under consideration in several more.

The more toward these organized crime laws has federal support. When plans to introduce the New York legislation were announced, then Associate U.S. Attorney General Rudolph W. Abner said there was a compelling need for such legislation. He said the federal government sometimes lacks jurisdiction to prosecute organized crime within a particular state.









The boldly lettered sign and the embellishments on car windshields make it clear to drug dealers in Gretna, La., that the local police are not kidding when it comes to drug enforcement. Alex Barkoff/New Orleans Times-Picayune

Sign of the times:

## Drug dealers put on notice

Drug dealers in Gretna, La., apparently are taking very seriously a sign placed over a row of confiscated vehicles, warning them their cars face the same fate if the dealers are caught plying their trade in the town, which is just across the Mississippi River from New Orleans.

"We get the word from the street that dealers are now avoiding doing any business in Gretna" since the appearance of the billboard-sized sign, said Police Chief B. H. Miller Jr.

The sign reads: "Warning Drug Dealers — These vehicles and yours will become seized property of the Gretna Police Department if you conduct business in the city limits of Gretna." It is signed by Miller.

Among the nine vehicles emblazoned with the word "seized" are a BMW, a Jaguar, and a pickup truck.

Miller told LEN that while the sign is not expected to make the drug dealers go away entirely, it puts them on notice that their wheels will be taken from them if they are caught.

"What we're doing is we're using everything in our power to let them know [drug dealing] is not going to be tolerated in the city of Gretna. We're going to take every legal means necessary to curtail

their business," said Miller. "They're still dealing drugs of course, and we're making arrests, but I think [seizure] is one of the best tools we have right now. So if we can't do anything else, we can hit them in the pocketbook."

Miller said crack is the city's biggest drug problem, and noted that drug-related arrests were up 250 percent for the first six months this year compared to the same period last year. He added that Gretna gets drug-dealing "spillover" from a nearby New Orleans housing project.

Miller said that while the sign itself may not make a dent in the city's drug trade, other efforts by the 64-officer department are in the works, including participation in a regional task force

devoted to busting the drug trade in the New Orleans area.

"Working with other agencies gives us access to undercover people and access to other information that we normally wouldn't be receiving," Miller said.

The Chief also cited a proposal to make it easier for his department to seize drug-related assets. Under the plan, the city would receive 60 percent of the goods, with the remaining 40 percent being split evenly between the local court system and the District Attorney's office.

"So that will probably help in our seizures — to make [seizures] easier and quicker. And we'll be able to do it independently, also," Miller added.

## Chicago PD seeks help in laying to rest charges of police brutality

The U.S. Attorney for the Northern District of Illinois, acting at the request of Chicago Mayor Richard M. Daley, is planning to join with the FBI in investigating allegations of police brutality against the Chicago Police Department.

U.S. Attorney Anton Valukas said Sept. 14 that the Mayor's request, made in an effort to clear the Police Department's name, stems from two recent incidents involving complaints of alleged police abuse. Valukas added, however, that the investigation does not necessarily mean there is a surge of brutality incidents and civil rights violations.

During a radio interview reported by the Chicago Tribune, Valukas said that while his office always monitors such complaints, "It's a positive sign for the Mayor to call up and say, 'We've got problems and we want you to look into it.'"

The Chicago City Council voted unanimously on Sept. 13 to conduct its own investigation through its Police and Fire Committee to examine the extent of police brutality against city residents. Complaints against the department have shown an increase this year, according to Chicago Police Department statistics. Through Aug. 31, 1,610 complaints had been filed against Chicago police officers, compared with 1,453 for the same period in 1988.

Two recent incidents involving police and minority residents pushed the issue to the forefront. In one, a South Side man was shot to death during questioning by police. In the second incident, two black teenagers were beaten by a gang of white youths after police intentionally dropped them off in a predominantly white neighborhood following an interrogation, the Tribune reported. Daley called for the dismissal of the two police officers allegedly involved in the latter incident if the allega-

tions against them are found to be true.

Valukas said he welcomed the City Council's investigation, but cautioned that his office has not noticed an increase in the number of complaints involving Chicago police officers.

"I don't see any difference in the numbers or nature of the incidents," said Valukas in an interview on the WMAQ-AM program, "The Reporters."

In a separate radio interview, Police Supt. LeRoy Martin suggested that the investigations will not uncover a surge in brutality complaints and he warned against "fanning the flames of racial divisiveness and engaging in overkill which could paralyze the Police Department."

"Police brutality is not a serious problem and is not epidemic," Martin said on the "At Issue" program aired by WBBM-AM.

David Fogel, chief administrator of the Chicago Police Department's Office of Professional Standards, which handles complaints of police misconduct, reported that during 1988, there were 2,242 complaints filed with OPS, of which 139 were substantiated after an investigation. In 1987, he said, 2,190 complaints were filed, with 121 upheld.

OPS recommended dismissals for 11 police officers during 1988, and so far this year has recommended the same penalty for eight others, Fogel said.

## FBI agent turns futurist, sees rough road ahead for policing

In the decade ahead, police agencies will be confronted with massive civil disturbances in U.S. cities, a huge increase in computer-related crime, and attempts by hate groups to infiltrate law enforcement, according to an FBI agent and veteran futurist.

Dr. William Tafoya, who is in the midst of a six-month stint as a research fellow to the Congressional Clearinghouse on the Future, made the gloomy predictions in a recent interview with LEN. But his forecasts were tempered by the acknowledgement that a number of promising developments in policing will help to stem the crises yet to come.

Tafoya, a 14-year veteran of the FBI who has a Ph.D. in criminology and criminal justice and is on the faculty of the FBI Academy's Behavioral Science Instruction and Research Unit in Quantico, Va., will soon present his findings on the future of crime and law enforcement to Congress.

Tafoya said he based his predictions of growing social unrest on a number of recent events, such as the riot in Miami that followed the death of a black man allegedly at the hands of a Hispanic police officer.

### Issues Beyond Police Control

The potential for widespread civil disturbance grows from a number of deeper issues, like poverty, homelessness and drug

abuse, "that by and large, law enforcement has no control over," Tafoya said.

The recent disturbances in Miami could act as model for such unrest in the future, he said. Initially, residents in the Overtown section of Miami, where the rioting occurred, charged the police with racism and brutality.

"But almost in the same breath, these people were contending that they are frustrated by their economic plight, the joblessness that exists in that particular segment of Miami," Tafoya said. The city's underclass also generally believed that local government shows more concern for newly arrived, predominantly Hispanic immigrants than it does "for people who lived here their whole lives," he added.

"That frustration can trigger violence with very little provocation," said Tafoya, leaving the police in an "intolerable situation" because disenfranchised groups have traditionally viewed the police — "the most visible representatives of government" — as "the enemy."

### Community-Oriented Policing

Part of the solution, Tafoya said, is for law enforcement to develop strategies "by which that perception can be altered so that the police are not viewed as simply the enforcers for the status quo and the power structure" but "as referral agents to those social ser-

vice agencies that can be of assistance" to the underclass.

Tafoya also recommends that police agencies adopt approaches that foster tolerance and respect for social and cultural diversity. He noted the shift of some departments to a community-oriented policing style, which he said can help change negative attitudes toward the police.

"It seems to me that given the kind of social strain that exists in the country, building this kind of rapport with the community is the kind of prescription that needs to be followed if widescale demonstrations are to be averted," he said.

Tafoya also predicts that members of hate groups will attempt to infiltrate police agencies in an attempt to spread their white-supremacist dogma and commit acts of "domestic terrorism." Hate group activity in general will increase, Tafoya added, pointing to the resurgence of the Ku Klux Klan and the growing numbers of racist skinhead youth groups.

### Screening Out Extremism

"If I were a racist, what better place to initiate my hidden agenda than behind the shield of a badge?" Tafoya suggested. "So the question that I raised rhetorically was, by what means does a police department, in the evaluation of a candidate, deter-

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### Coming up in LEN:

On the line with the only certified sign-language interpreter for the deaf in American policing.







# Forum

## Other Voices

A sampling of editorial views on criminal justice issues from the nation's newspapers.

### A bit much

"Has President Bush added a few comedy writers from 'Saturday Night Live' to the White House staff? Sure seems that way. How else to explain the fast one he pulled during his prime-time Sept. 5 address on fighting the drug menace? Yep, that plastic bag of crack he displayed was the real thing, purchased in Lafayette Park across the street from the White House. Nope, the park is not a drug bazaar. Federal narcs had to beg a suspected teen dealer to sell crack to an undercover agent there. Memo to Bush: Americans want substantive antidrug policies to emanate from the Oval Office, not props, trumped-up backdrops and Chevy Chase-like showmanship. Next time, spare us the hype."

— *New York Newsday*  
Sept. 26, 1989

### Crime: Soaring prison populations reflect a crackdown on drugs

"The record increase in the nation's prison population during the first six months of this year is scant cause to rejoice. But it indicates the overall tougher justice long needed against drug-related crime. Only the near-certainty of arrest and incarceration may deter would-be criminals. Congress should provide swiftly the more than 24,000 new Federal prison beds President Bush wants. The states must scramble, too, for more such beds. Expanded prison facilities, whether at Federal, state or local level, are costly to be sure. But not having them could be a lot costlier, because they are basic to the tough justice required to reduce the nation's drug-fed crime."

— *The Cincinnati Enquirer*  
Sept. 15, 1989

### Residency and police pay

"A state arbitration panel has awarded Detroit police officers a 14-percent, \$48-million pay raise over three years. It's a budget-busting decision that heightens our opposition to arbitration of public employee wage disputes. But the arbitration panel noted that a major reason for the pay award is the city policy requiring police and firemen to live in Detroit. This residency requirement appears justifiable at first glance. If the city's money is good enough to take, goes the argument, then the city is good enough to live in. But the arbitrator's award makes clear that the requirement is imposing a substantial burden on city taxpayers. The arbitrator ruled that the poor condition of the city was determined a major justification for 'hazardous duty pay.' Effectively managing city resources means adopting fresh ideas that discourage the destruction of the city. The award underlines the necessity of restoring Detroit as a decent place to live. In the meantime, however, the city doesn't have the luxury of demanding that its employees live within its boundaries."

— *The Detroit News*  
Sept. 12, 1989

### Ben Ward, professional cop

"Benjamin Ward had plenty of critics. At times he seemed to go out of his way to encourage them. But in nearly six years as New York City's Police Commissioner, Mr. Ward built a record of admirable law enforcement leadership. Ben Ward's most visible contribution to the city has been presence. He brought an impressive background to the job, but the fact that he was the first black ever to hold it also helped make the criminal justice system more credible to minority citizens. He never did manage to get over a tendency to shoot off his mouth. And there were times when loyalty to Mayor Koch clouded his judgment. Yet his basic grasp of the job remained strong, his professional instincts sound. He inherited a department suffering from lax discipline, lacking middle management to supervise thousands of new recruits. Under his command some brutality and misconduct continued, but his refusal to make excuses and his uncompromising insistence on professional standards limited the damage. Most important, he never lost his belief that the police can — and should — fight back even when the tide of crime and drugs seem overwhelming. Mr. Ward also became one of the nation's leading promoters of community patrol. While the initial effort has shown initial promise, community patrol has yet to realize its full potential. The spread of crack has absorbed too many police resources, and budget problems have prohibited increasing them. The need to develop community patrol remains a serious challenge for Mr. Ward's successor. Its introduction remains the invaluable legacy of a remarkable commissioner."

— *The New York Times*  
Sept. 26, 1989

### Bush drug war underfinanced

"If the nation truly is to wage a war against drugs, as President Bush decrees, then there must be more abundant financial resources in the arsenal than called for in his televised address. In prescribing what are relatively modest increases in anti-drug programs, Bush assured the nation that they can be financed with no increased taxes, thus sticking to his campaign promise. It is this refusal even to consider higher taxes that flaws his anti-drug program and casts an element of doubt on the depth of his commitment to this war, which he contends is essential to national security. We believe that, indeed, it is essential to the nation's security. That being the case, then it must be a full-scale war, waged with sufficient funds. We believe there is ample support for tax increases that will finance an all-out, multi-faceted drug war without deepening the Federal budget deficit. George Bush needs to read the American people's lips."

— *The Seattle Post-Intelligencer*  
Sept. 7, 1989

### Marx:

## Treading cautiously in a technological twilight zone

By Gary T. Marx

Move over Buck Rogers, Dick Tracy and Mr. Spock. Space-age technology has come to the criminal justice system. Recent developments in forensic molecular biology have brought us DNA "fingerprinting," a technique that its advocates claim offers certainty in the matching of genetic material found at a crime scene with that taken from a suspect. More than half the states are exploring plans to create computerized genetic data bases, and the FBI is seeking to build a national computerized DNA index, for which those convicted of serious crimes will be required to provide blood and saliva samples.

Last month, in California's first DNA conviction, a Ventura County woman was found guilty of murder in a case that rested largely on 15 hairs found at the scene of the crime that matched her DNA patterns. "Without the DNA test results," said the judge in the case, "there's not enough evidence."

In this euphoria of quick techno-fixes, it is possible to overlook short- and long-range problems. There are questions about the validity of DNA testing and about the standards that should be required for court use. An accurate match is no guarantee of legal guilt, and the tactic raises Fourth Amendment search and property ownership questions: Under what conditions should a DNA sample have to be provided, and who should control the findings?

But there is another problem — the

danger of "surveillance creep," in which an invasive technology, benignly introduced for limited purposes, silently extends beyond those borders. Examples are everywhere: the Social Security number that Congress intended only for tax purposes has become a de facto national ID number; video cameras, once restricted to prisons and high-security areas, are found in offices and shopping malls; the polygraph, once limited to national-security violations, is now routinely applied to government employees and contractors; drug testing, once restricted to those working in nuclear-power facilities, is now required of bank tellers and even junior high school students; a Congressional restriction on matching computer data bases only for purposes consistent with the original data collection has given way to widespread matching of data bases for any reason government chooses; the FBI's records of criminal histories, created as a crime-fighting tool, are now most frequently used to investigate job applicants, not crime.

Once a surveillance system is established, many factors extend it to new subjects and new uses. Economies of scale are created that reduce the per-unit cost of such extensions. Precedent is

Continued on Page 19

Gary T. Marx, a sociology professor at the Massachusetts Institute of Technology, is the author of "Undercover: Police Surveillance in America."

## Letters

To the editor:

Your article "Two-wheeled Patrols Gaining in Popularity" (LEN, Aug. 15, 1989) reminded me that history offers some interesting comparisons.

My uncle, William T. Shaughnessy, badge number 4705, was a New York City police officer from May 1905 to April 1930. He was assigned to the then-Prospect Park precinct. For 20 years he rode a bicycle on patrol in Prospect Park. Somewhere in the family archives or those of the NYPD, I know, are photographs of The Finest on bikes. What is perhaps most interesting is that the officers 50 years ago wore full uniform — no shorts! The bikes had no gears, and were heavy, steel-framed two-wheelers that kept the riders in shape. While the sleek, modern 10- to 18-speed bikes can carry so much equipment, up to the 1930's Uncle Willie wore it all.

EDWARD J. SHAUGHNESSY, Ph.D.  
Associate Professor  
John Jay College of Criminal Justice  
New York, N.Y.

To the editor:

As a psychologist, I concur with much of what I read in Ordway P. Burden's article "Police Psychology — With a

Capital 'P' " (LEN, May 31, 1989).

As our society becomes more and more burdened by the effects of stress on its individual citizens, it falls to police personnel to effectively handle a wide range of volatile human relations situations encountered in the field. Specialized training for officers in coping with stress — their own and others — is becoming an increasingly vital component of police training.

By far, the most practical techniques I've ever found for understanding the origins of stress and how to deal with it comes from the writings of author and stress expert Vernon Howard. In his "Live Above This Crazy World" (send \$2.00 to the non-profit New Life Foundation, Dept. LE, Box 684, Boulder City, NV 89005), Mr. Howard writes: "Take a fresh and eager look at the power of learning something new about your mind. . . . You will roam as free as a stream, enjoying everything, bothered by nothing."

I am happy to see this trend toward teaching police officers sound psychological principles. Thank you, Law Enforcement News, for your continued efforts toward more effective law enforcement.

LYNNE D. FRANKLIN, Ph.D.  
Boulder City, Nev.



"I think it's necessary to realize that if you're hired from the outside, you have an automatic mandate that change is necessary."

So notes Mack Vines, who took command of a troubled Dallas Police Department some 15 months ago. At the time, racial tension was escalating, police shootings were high, the number of officers being shot was growing and police moonlighting policies had been tainted by a scandal that found its way into headquarters. Vines was selected as a result of a three-month national search that became necessary when the former chief abruptly walked off the job, indicating that he had had enough.

When it comes to change, Vines prefers to take things issue by issue. In some cases, the change must be made quickly, while in others a slow, methodical approach is best. For Vines, the area that needed immediate attention was police shootings. Dallas had been described by a Congressional subcommittee as leading the nation in police shootings. One of the first orders of business for Vines was to implement training initiatives that emphasized alternatives to deadly force. "There are times when an officer gets into a particular situation where

many of the alternatives cannot be used...but we do know that police officers can cause a lot of deadly force situations by hurrying too quickly," the Chief notes.

Another area that demanded quick attention was the strained relationship between the police and the city's minority community. As often happens in cities when police/community relations are frayed, there was an ongoing, sometimes bitter controversy in Dallas over a proposal to broaden the powers of a civilian review board. Vines notes, "I came out publicly against the proposed civilian review board because it would really take away the management responsibility of not only myself but the City Manager and the City Council." His public stance on the volatile issue evidently paid off, because voters defeated the proposal by a 4-to-1 margin in a citywide referendum. But the matter was not simply left to rest there. Noting that there were racial differences in voting patterns on the issue, Vines and his top staff have been conducting a series of town hall meetings in districts that favored the expansion of the review board's powers, to explain how the departments is handling reports of police wrongdoing and to reassure residents that misconduct is not being tolerated.

One of the issues that seemed to call for a slower, more methodical approach to change was the question of one-officer patrol cars, which were strongly opposed by the powerful Dallas Police Association. In a move that typifies the Vines management style, the Chief put "the people involved in that change in the role of creating the change itself." As a result, the Dallas Police Department will probably deploy a 60-40 ratio of one- and two-officer cars.

Vines' management style and philosophy of policing have evolved from a lifetime in law enforcement. He became Police Chief of St. Petersburg, Fla., after serving with that city's Police Department for 20 years. From there he moved on to become the chief in Charlotte, N.C., from 1980 to 1985. After a short stint with the U.S. Department of Justice as Director of the Bureau of Justice Assistance, he headed back to Florida to become chief of the Cape Coral Police Department in 1986, a position he held until the appointment in Dallas was announced last year. Earlier this year, he was elected president of the Police Executive Research Forum, the Washington-based organization of major-city chiefs.

**"The neighborhoods are now being cleaned up and people are finally coming out from behind their burglar bars. Basketball is being played on the courts instead of drugs being dealt. I just hope it continues."**

## Mack M. Vines

**Police Chief of Dallas, Tex.**

Law Enforcement News interview  
by Marie Simanetti Roaen

**LAW ENFORCEMENT NEWS:** Just over a year ago, you took command of a department that had the dubious distinction of being ranked number-one in the nation by a House Judiciary subcommittee for police shootings per 100,000 population. What policies or procedures have you implemented to change things?

**VINES:** The department has always had an effective use-of-force and deadly force policy, and has provided adequate training for those. What we have done is to enhance and strengthen that training even a bit more, by taking some of the strong points of other agencies' policies and molding them to Dallas. There's a lot of accountability and control mechanisms that exist now.

**LEN:** Such as?

**VINES:** Well, through the training initiatives what we have done is to make certain that the officers realize that although we do not without a doubt ever want to com-

promise their safety at all, they must use deadly force as a last resort, and they must use alternative measures. Those alternative measures consist of backing away from the situation if at all possible, taking cover or calling for additional assistance, calling for supervisors, whatever it might be, and if it's a person that's barricaded in a particular area, to call for tactical assistance — not to just storm into a particular situation without taking due caution. We hold the people accountable for those alternatives. There are times when an officer gets into a particular situation where many of the alternatives cannot be used — maybe none of them can be used. But we do know that police officers can cause a lot of deadly force situations by hurrying too quickly into a scene before they take alternative measures.

**LEN:** Just this past July you fired an officer for failing to use "reasonable alternatives to deadly force" in the shooting of a Hispanic man who wandered into a search for an auto-theft suspect. Were you using this incident as a way of showing that you mean business when it comes to use of force?

**VINES:** I don't think so. Each case is treated on its own merits. Of course it's difficult to discuss that particular case in print because the appellate process is ongoing, but alternatives must be exercised the best way possible. This particular case is one where if certain steps had been taken to try to get more information to hold back a little bit more, to judge the scene and circumstances surrounding it a little better, there is a good possibility that the ultimate outcome would have different than it was.

**LEN:** Has the police union taken up this officer's case?

**VINES:** Oh sure. They're concerned about that, but the issue is that deadly force, of course, is something that all law enforcement people deal with. They join the department and they obviously know it's not a Sunday school class, and that they're going to be confronted with issues. They want the freedom and flexibility — and they need that — to exercise their discretion and judgment, but when you shoot your weapon and ultimately take someone's life, well obviously in any law enforce-

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**"We want officers to be very cautious when they approach things, and realize that there could be a deadly force situation developing at any time, but we surely don't want them to be overly aggressive and help to cause it."**

Continued from Page 13

ment agency they should prepare themselves for questions.

## A lot of restraint

LEN: Given the escalating level of violence in the country today, could an increase in police shootings be simply a reflection of increased violence in society as a whole?

VINES: It could very well be. We do have an awful lot of automatic weapons and extensive firepower that we're confronted with on a day-to-day basis in a city of this size. Of course, the case we just talked about is one where we have an unarmed man walking along and sort of acting suspicious. That doesn't have anything to do with a crime; there's no crime being committed at all. But today, in cities of like size and population, we're experiencing a lot of drug activity, and with drugs come firearms, and with firearms come greed and anger and death. So we want our officers to be very cautious when they approach things, and realize that there could be a deadly force situation developing at any given time, but we surely don't want them to be overly aggressive and help to cause it. In essence, our police officers — and this is very important for your readers to realize — are very well trained, and we have a lot of discretion here, but we also have a lot of restraint in how we mete out force. I'm quite proud of this department and its members.

LEN: Have you noted any decrease in police shootings since you became chief?

VINES: Well, I really don't know. We've not seen that many, and fortunately — we continue to cross our fingers — we've had no police officers killed this year in the line of fire. We had two police officers killed in January during a chase. Last year, on the other hand, we had five police officers killed by firearms. I think that our shootings of other individuals is not exorbitant either.

LEN: The January 1988 killing of Officer John Chase — a white cop killed by a black vagrant as bystanders watched and egged on the assailant — seemed to typify the distrust that the minority community had for the Dallas Police Department. Have race relations improved since then?

VINES: We've seen a significant positive turn in relations. That's caused, I believe, by our department this past year being more willing to discuss issues and being available to meet with various and sundry sections of the community to listen to their problems and concerns. Those that are realistic, we implement, and we try to diminish and defuse any kind of concern that they might have — not to the point of compromising our profession and our mission at all. It's just being available and willing to discuss things with the community. I've seen a positive effect this past year with the community, with the media, with elected officials, with the business community, and with all segments of normal neighborhoods.

LEN: Is there a specific mechanism in place to accomplish this? Or, perhaps, are officers generally more

cognizant of the importance of community relations?

VINES: It's the latter. It's extremely important that all officers realize that they exist to serve the community, and that this is not an adventure — it's really a necessary endeavor that they've involved themselves in, and it's the most rewarding profession, I believe, in the world today, because of the various and sundry things we're called upon to perform. They must be able to relate and police through empathy. Dallas has had this philosophy for years. You can have one, two or three celebrated or tragic situations develop and all of a sudden things seem to mushroom and a lot of negatives seem to surface. But they've had storefront substations in our six divisions, and we're going to be up to about 11 or 12 substations in the neighborhoods. They've been meeting and greeting with people, and they've been involved in community activities for years, and we're heavily involved in it now. Our biggest problem is our workload and calls for service and the shortage of resources.

LEN: How accessible are you personally to the public?

VINES: Very accessible to them, through the media and through speeches I give to neighborhood groups and civic groups. I have a town hall-type meeting tonight in one area of town, where there will probably be 75 to 100 people present. My entire staff and I will be there. Basically what we're doing is maintaining a high profile with all the communities throughout Dallas. It's time-consuming, but that's the nature of the beast. We have to be out there listening to what they have to say, and they have to understand us and realize that we're not apart from the community, rather we're a part of the community.

## Policing the police

LEN: For more than a year there has been a heated controversy over the civilian review board — specifically the extent of subpoena powers for the board and the creation of an investigative staff. An amendment to the city charter went before the voters this past May on the

**"I have always yearned for the utopia where we can police our own effectively and everybody understands and trusts our decisions when we mete them out."**

subject of the review board. Where do matters now stand?

VINES: It was soundly defeated, 4-1. The current civilian review board remains in existence with the same subpoena powers — namely that a certain majority of those have to vote to subpoena particular individuals and what have you. There's no real investigative arm of it. I came out publicly against the proposed civilian review board because it would really take away the management responsibility of not only myself but the City Manager and the City Council, and it would circumvent the process I feel is effective now. I have always yearned for the utopia where we can police our own effectively and everybody understands and trusts our decisions when we mete them out. We have to continue to try to do that through our internal affairs initiatives, making certain that we're consistent and we're fair with our decisions — not only for the officers but for the citizens themselves.

LEN: And apparently the community has spoken in this case...

VINES: Well, that's what we also saw, and that's the reason I set up four town hall meetings. For example, there was definitely a racial difference in the vote. There were certain precincts that reported significant voting in favor of the new proposal. That would tell me that either these voters don't understand our current system, or else maybe they have a personal issue that they haven't been able to express but would like to have a forum to express that opinion. So what we did was meet with our community relations groups from each of our divisions, which consist of citizens, and we met with four of our divisions in the city where the voting precincts were located. We're having town hall meetings at each one of those four districts to explain our internal affairs operations, to explain the complaint procedure, to explain the current civilian review board, and really to explain what the proposed version was. We've been received very well so far in the three that I've been to so

far, with the fourth being tonight, as I mentioned. We talk about other issues, too, not just that. We open up for Q&A and we have about a two-hour discussion with them.

LEN: So you're of the belief that the police can investigate themselves in a credible way?

VINES: Without a doubt. I feel we know how to police our own, and as long as we do it fairly and equitably, then I think it's appropriate. When we deviate away from that consistency, then we need to be questioned.

LEN: How is the community or any other outside group to know if in fact it's being done fairly and equitably, as you termed it?

VINES: Well, there's other appellate avenues to travel. They can go to Civil Service, they can go to the City Manager's office, they can file other types of complaints with the District Attorney. If we can identify those particular problems that a citizen feels have occurred, and if we can rectify those and let them know how and why it occurred and what we've done to prevent it in the future, then more often than not the citizens are satisfied.

## Speaking out

LEN: One major-city chief we spoke to — one who also got caught up in a civilian review controversy — took a posture of stepping back from the public debate and letting the legislators, the police union and the public decide the matter. Since you apparently took a different approach and made your views known, do you think that your public stand on this issue made a difference in the outcome?

VINES: I think they would have turned it down anyway. Obviously being the Chief of Police and coming out with the statement that I did and the 13-item rebuttal against the proposal surely convinced some people, but in general everybody exercises a different management style. I feel it necessary to inform the public in regards to the proper issues, especially those that are

going to adversely affect the Police Department in its meeting out of corrective action and its personnel management, for example. It's difficult to sit back and let issues occur.

With the alleged or actual strained relationships with the community in the past in '88, and with my feeling that that relationship has improved between ourselves and the minority community, and with the profile that we've maintained, and then with me coming out with my open statements against the civilian review board — which the majority of the minority community allegedly or actually wanted — that has not adversely affected our relationships with the community at all. So that tells me that our relationships with the community are solid. We have a lot of work to do, as always, but it's moving in the right direction. So coming out publicly against an issue is not that bad, as long as you're doing as much as you can properly overall. It's not just me; it's the staff, too. We have a tremendous staff here. And then with affirmative action — affirmative action is a law here in our city, where we have to meet so many goals and numbers. It's something like 25 percent black and 15 percent female and 10 percent Hispanic, and we've met those goals. That goes for the staff promotions as well, the exempt ranks.

LEN: Affirmative action policies often lead to lawsuits and to claims of reverse discrimination. Has any of this come home to roost in your department?

VINES: It has an adverse effect on morale, as it would. There are three concerns for promotion, namely that they're recommended for promotion by their sergeants and by the profiles that we develop on individual candidates, and that they're qualified, and then the affirmative action consideration. Once we meet what we call a manifesting imbalance — and we don't have a manifesting imbalance anymore — then we can deviate from having to move down and away from an existing list in order to pick a minority candidate. To pass over obviously upsets those who are being passed over. It's unfortunate; I wish we didn't have to have affirmative ac-



# LEN interview: Dallas Chief Mack Vines

tion, because it would be like a utopia where everybody is tested, everybody's qualified, and everybody competes without any discrimination at all. But let me tell you: The last black captain that was promoted was in 1970 in the Dallas Police Department. I came here and there were two minority people on the management staff, one a black and the other a Hispanic. No females. Now we have blacks and Hispanics and females as well as Caucasians. Things haven't happened in the past here in Dallas, so maybe we've been righting a wrong, and affirmative action was designed to right that wrong. Yet we do have patrolmen and sergeants and lieutenants who are concerned about being passed over. We might even end up in Federal court over the affirmative action plan set by the city as it relates to manifesting imbalances.

**LEN:** In a landmark ruling in 1986, the Supreme Court let stand an appellate decision upholding the Dallas Police Department's college-education requirements for entry-level officers. Do you still have those requirements?

**VINES:** It's still 45 hours of college minimum throughout the department.

## Talent-scouting

**LEN:** The Police Executive Research Forum, of which you're now the president, recently issued a report that said college education requirements are not inherently discriminatory or an impediment to minority hiring. In your experience in Dallas, do you find that to be the case?

**VINES:** It could make it more difficult for all races to become police officers, because obviously those people with less than 45 hours of college are unable even to apply. What you're doing is you're culling out a lot of would-be qualified applicants with a year of school, which is about 30 hours. You're culling out a good section of people as a resource pool to choose from, but then again we surely don't want to diminish our standards at all. We're having a difficult time in attracting a lot of candidates because we're in a competitive mode with the Federal Government and other agencies of this size, and we've got to keep our pay and benefits and amenities to the point where people are attracted to us. There's also the negative publicity that we've been experiencing in '87 and '88, which doesn't help us either. But like I say, it's turning, and we're in a big recruitment drive right now. We've been awarded 150 officers last year and 150 coming up this month for the next fiscal year, so we're in a big drive, and we're also exerting a lot of effort to reduce our attrition in the department.

**LEN:** What's the nature of the problems you're facing with attrition? A mass exodus of experienced officers?

**VINES:** Not exactly. I think it's anywhere from 4 to 6 percent attrition within the department. We just haven't come up to the strength necessary to handle the workload that we're experiencing. So therefore if we haven't come up to the actual strength necessary to handle the workload, and people are still attriting themselves out, well then obviously we're way behind. We're down about 170 police officers now.

**LEN:** So the 150 you're getting is barely enough to break even...

**VINES:** That's just to maintain the status quo. But the issue is that people leave for various reasons. The pension plan is one of the reasons that retirees are leaving, because they came up with an enhanced pension initiative last year, and so it's more attractive to retire and get another job. Then there's people who leave for personal reasons, and forced attrition by failing the academy or failing training or being terminated. There's many reasons why people leave, but we're not experiencing any more attrition than most cities, I don't think. The issue is that we haven't gotten up to an optimum strength to handle our workload yet, so when we continue to attrite, as I mentioned before, it keeps us below the workload level.

**LEN:** What impact has the economic slump in the oil industry had on budget matters in Dallas?

**VINES:** It's been a limitation, because the tax revenues and tax base are reduced as businesses have closed up. We've experienced a reduction of our tax base in Dallas for the last two years. Therefore if you don't have the revenues that are necessary to keep the economy going and meet cost-of-living increases and so forth, you either have to reduce services or you have to increase taxes. Our City Manager submitted a proposal to increase our budget by \$10 million, up to about \$166 million — to the detriment of some of the other agencies. Some remained status quo, and some received a reduction. He also recommended a two-cent increase in taxes in order to accommodate some of these needs.

**LEN:** Do you think you'll get the extra money?

**VINES:** I think we'll get that and even more, because the City Council is looking at a four-cent or more increase in taxes and to raise police benefits between 3 and 6 percent, along with adding police officers and adding shift differentials and other benefits. It's a good year for

**"Response time is not solely the responsibility of law enforcement. More often than not, a fast response is not going to deter anything or stop anything."**

police here.

**LEN:** It has been reported that Dallas has one of the least restrictive policies in the country regarding off-duty employment. Is that still true?

**VINES:** I think we're pretty restrictive now. We've tightened up some of it a bit and made it a bit more accountable. We're continuing to review it. It's those types of issues that are very personal and very emotional, and you have to move slowly and methodically when you come in and create change. You have to get the people that are actually involved in the activity into the change initiative itself, because you have to make sure it's acceptable. But I don't know of any studies regarding its being the most lenient, or less restrictive.

**LEN:** What restrictions are now in place?

**VINES:** The accountability, the monies, who can solicit for jobs — it's all recorded internally now, centrally located as opposed to the officers' doing their own. Hours have been restricted, and we've identified the different types of areas where people can work — non-alcoholic areas, and places such as that.

**LEN:** How about off-duty security jobs?

**VINES:** They can provide security in different places. They've just got to make certain that it's the type of places we want them to work in. We don't want them to work in places where we might be working criminal cases, because the police officer might not know that. It could be intelligence, it could be undercover operations — we don't want them compromising their positions or ours. I wish we didn't have to have moonlighting, but if you give anybody \$5,000, they'll just up their style of living to accommodate that level and then ask for more. They want to work the secondary employment. And the public wants them to work there, too; they feel comfortable with that uniform around.

**LEN:** They're moonlighting in uniform?

**VINES:** Oh, sure they do. The people are hiring the uniform, not the body. They want the authority.

**LEN:** And all moonlighting is now centrally controlled?

**VINES:** In other words, we know where they're working and when they're working and things like this, and the types of jobs they're in. As an example, if a business wanted Officer X to work at their place because of his experience or because he knows the operation of the business, that officer or that business must now notify the Police Department centrally to clear it. We also have a rotation list, whereby a person can turn down so many jobs and then they go down to the bottom of the list, and each person now has an opportunity to get involved in a job, as opposed to some people dominating the jobs and

having a corner on the market.

## Time trials

**LEN:** Last spring, Mayor Annette Strauss stated publicly that the Police Department's emergency response time of 12 minutes wasn't good enough. Has that figure been improved at all?

**VINES:** I think we have. We have two kinds of response times: emergency response time and priority-one response time. Our emergency response time is about six to seven minutes, and we hope to get that down to about five. Those are the life-threatening issues that are occurring right now. The priority-one calls are running anywhere from 9 to 12 minutes, and we hope to get that down to seven to nine minutes. We're improving on that a bit, but we're not to the point that we should be. Once we look at our resources and deploy a bit better, and clean some of the blue out of the inside of the building and civilianize more to put police officers out on the

street, and analyze our call load and increase our expediter calls where we handle calls over the telephone, and also better prioritize our calls on a five-tier basis within Communications and get rid of those 911 hangup calls on public telephones, which are about 43,000 a year, and work on our false-alarm calls, then I think we will reduce the workload, hopefully, and better manage that, and better deploy, and increase our one-man cars — again, without compromising any safety of officers. We'll get a better feel for our workload out there and our people, and we'll free up people to answer calls and hopefully our response time will come down to an acceptable figure.

But you have to realize that all of us in law enforcement know that response time is not solely the responsibility of law enforcement. More often than not, a fast response is not going to deter anything or stop anything. Quite often it won't even catch the people, because it's the victim mobilization time that we always have to concentrate on. This goes back to the Kansas City studies years ago, that we need to mobilize the victim to call us more rapidly. There is sometimes a 15-, 20- or 30-minute lapse before they decide to call us, and by the time we arrive it's ludicrous. But if we get a call of a man with a gun or an armed robbery in progress, these are things happening now and we've got to get there. And no matter what we know statistically to be good or bad or effective or ineffective, we still have the perception of the community. They want you there as soon as they hang up the phone. They'd like to see you drive up as they're talking to you.

What we're doing also is we have cellular phones in all of our cars now, and they're able to call the citizen back and talk to the citizen. They can get more information over the phone from them and get it out of Communications, get it out of that queue time so that the queue environment can be freed up to dispatch more calls. So with our MDT's [mobile digital terminals] and our cellular phones and all these various other toys that we've got in the cars.

**LEN:** How do you educate the citizens who might be demanding rapid response for even minor calls?

**VINES:** We've got to go through an educative mode initiative through the media and also through written procedures — maybe through enclosures with their water bills, using a very definitive flyer. We have to explain to all citizens that these are the priorities that we have and that you would much rather us come to your home if it's a burglary in progress as opposed to "I think my bike was stolen yesterday" type of call. We have to explain that we might even have to be making appointments with you tomorrow or the next day to answer this call, or you can send this information in to us because this is all we need. And if this is for insurance purposes, these are the steps you should take and you can call us on the phone and we'll take it over our expediter unit, which

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# Vines: "Treat people through empathy"

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has police officers answering the calls. So yes, it'll have to take a positive attitudinal change, hopefully, on the part of the public. But if someone really demands a car, we'll give them one as quick as we can, but then again we've got to realize that we have to go to those life-threatening things as quick as possible.

**LEN:** A few months ago, a Dallas district judge ordered the department to release felony suspects after 72 hours unless formal charges are filed. What effect has that ruling had on your operations?

**VINES:** I don't think it's been that negative, but the issue that I feel it speaks to is the crowded condition of the jails. We don't have holding cells within the central department here or throughout any of our divisions. We take ours directly to the county jail. It causes a problem if you run into a three-day weekend. If you put somebody in there and you can't file, your 72 hours are going to expire. The contiguous cities, the smaller areas that have holding cells, they can put them in there and they don't go on the clock. They get all their paperwork done and they can file on these cases, but they don't go on the clock until they put them in the county jail. Then the 72-hour clock starts. What we were going to do is file directly with the District Attorney's office, but then of course the District Attorney says, "My God, what a workload that's going to be" — because the majority of the people going to jail are coming from Dallas P.D. anyway, just due to mere size. We're adhering to the decision. But we're monitoring to see if it's having any adverse affect on our cases. We surely wouldn't want them to release somebody that shouldn't be released, just because we weren't able to get the paperwork there. I mean, if we're dragging our feet, then we've got to step up our procedures. But I think we've taken enough precautionary steps to make certain that we don't run amuck with the decision.

## A CLEAN city

**LEN:** You have a reputation for putting emphasis on quality-of-life issues, which to a certain extent must entail cooperation with other municipal agencies. Have you forged any such partnerships with other Dallas city agencies thus far?

**VINES:** Sure. We've got a CLEAN operation here — that's Community Law Enforcement Against Narcotics — and we've identified nine target areas of high crime and high narcotic-dealing activity. In doing so we involved all other city departments from Streets and Sanitation to Housing Development to Human Services, the Fire Department, the Water Department and everybody else. What we're doing is we're trying to change the quality of life back to where it used to be, and basically recover it from the criminals. What we do is we identify the target areas, we make cases, we buy drugs, we get search warrants and arrest warrants for the people in that area. Then through our intelligence we identify when those people are present and we hit. We sweep the police in there for a six-week period of time, and while we're there we bring in all the other departments to clean up the area. We've hit four so far, and we've been very successful in those four areas. We create a balloon effect, but our intelligence follows that effect also to the degree that it's having an effect on some other areas.

**LEN:** In many cities, it's often claimed that such police programs are great while they're in place, but once the police leave it's back to business as usual for criminals and drug dealers...

**VINES:** Yeah, but that's what we didn't want to have happen. This is similar to community policing and all these different types of programs that exist. We felt we really had to get the other city departments involved, and various county and state departments as well. We've demolished houses, we've put in secondary homes, we're finding homes and jobs for people, things like that. So it's a law enforcement program, but it's not just that. Now other communities in Dallas are asking, "When are we going to get our CLEAN operation?" You've got to stay with it. If you don't, it will revert back. We've been fortunate here in that the First Assistant City Manager sits in on weekly meetings we have for our CLEAN operation. All city departments that are

involved, all their directors, meet with us. It's not faltering at all — so far.

**LEN:** Who coordinates the effort?

**VINES:** The police.

**LEN:** City agencies have been known to get rather territorial with each other, particularly when it comes close to budget time. Are you folks getting along with each other?

**VINES:** Very well. Take Streets and Sanitation. We had some flooding here last May, and a lot of problems with the streets and the drainage and things of this nature. We had to hold off on one of our CLEAN operations. The director called me and said, "Can we hold off on this? I'm strapped with overtime trying to clean up these streets." I said no problem. So we hold off on hitting the neighborhood, but meanwhile our guys are still building up cases and we'll put it in a holding pattern for maybe a week or two max. As soon as the director of Streets and Sanitation can release some crews and he's ready to go, we hit, and in comes sanitation after us with bulldozers and street sweepers and these other machines. That's the kind of coordination that we have.

**LEN:** Have the drug dealers and criminals come back to cleaned-up areas?

**VINES:** They've come back a few times, and they've been moved out again. A lot of the community has finally gotten up in arms over it and they're taking a lot of it into their own hands. It goes back to the "Broken Windows" idea of a few years ago. They get a torn-up neighborhood and what have you, and that's where they're going to prey and that's where they're going to stay. But the neighborhoods are now being cleaned up and

or anybody else would have coming in from outside is to create that bonding with the people within the department. I've been here a year and I haven't done it yet. I'm meeting with officers every two weeks in my office — 5 to 10 of them — and I meet on a quarterly basis with all ranks within the department. My staff and I ride with officers in their cars and go out on calls with them. It's that profile you have to maintain, and answering questions. After a few miles of riding, maybe an hour or so, they open up with you. There have been no negative replies from the officers; they think it's great. And the executive staff tells me, "I didn't know all that stuff was happening out there."

**LEN:** Was reorganizing the department part of your prescription for reform?

**VINES:** Sure. I set up different divisions. Administration and Operations appeared to be too fragmented at the time, and a bit flat and spread out. I centralized it a bit more and made it a bit more vertical. I moved internal affairs and inspections directly into my office. It answers directly to me. I created an assistant chief position for that particular initiative — Professional Standards, as we call it. I think we've got a better flow and a better accountability for like work and like assignments, things like that. We've been in it now since November, and I see a number of areas I'd like to fine-tune, moving this function here and changing that function there and making certain that things flow well.

**LEN:** From the perspective of a change agent, how did you navigate your way through last year's controversy over one-officer patrols?

**VINES:** I gave the responsibility for implementing that to an assistant chief who happened to be in charge at the time that all patrols went to two-member cars. He's still

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**"The best way to have change accepted, because we're all creatures of habit, is to get the people that are involved in a particular initiative involved in the change itself."**

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people are finally coming out from behind their burglar bars and venturing outside. Basketball is being played on the courts instead of drugs being dealt. It's exciting; I just hope it continues.

## Prescription for reform

**LEN:** It's been said that you were brought in to Dallas as a reform chief. Given your background in other agencies, have you formulated any guidelines as to how to reform a department, or how to be a reform chief?

**VINES:** I think it's necessary to realize that if you're hired from the outside, you have an automatic mandate that change is necessary. You either adapt or you continue to have a change-agent attitude. And in order to create change within an organization, you obviously have to move slowly and methodically — sometimes fast, depending on the issue at hand — but the best way to have change accepted, because we're all creatures of habit and we're reluctant to change, is to get the people that are involved in a particular initiative involved in the change itself. Pick their brains and get their ideas, and more often than not people have been looking for change to begin with, because the only difference between a rut and a groove is the depth. So they might feel that same way as you do; they may be looking for change secretly and confidentially.

But the issue is that you've got to treat people humanely and through empathy. You adjust to the locale that you go to, but you really don't compromise your convictions for convenience. Hopefully, through experience you have the knowledge of what's right and wrong and what's appropriate and you try to stay up to the state of the art of issues, and you really identify those people within the department that will help you create that change. You develop and involve a good staff, and properly delegate and give them the freedom and flexibility to move. All that sounds like it's very easy, but it isn't very easy at all. It's very difficult and you create this element of unknown and uneasiness among people. The most difficult job that I would have

currently on the department here — a very effective, very capable person. So I put him in charge of this committee to look at the one-member/two-member car system, and to come up with a feasible plan and a feasible ratio of ones and twos, based on the current workload and priorities. I wanted him to come up with a cross-section of tenure and race and sex and Dallas Police Association experience, then go into a room and come up with a plan. And they did. We put the people involved in that change in the role of creating the change itself. So those who were actually instrumental in implementing that original change back in February of last year were instrumental in helping to change that particular issue. It's much more palatable than it would be if it were mandated out of my office. We'll probably be going to a 60-40 ratio of one-member and two-member cars. But that depends on where you are; there may be some places in the city where you'd like to have three people in the cars.

**LEN:** What you just described sounds a very democratic in a law enforcement context, and seems to speak to a new wave in policing...

**VINES:** It's not that new. You have quality-circles initiatives and things like that in some areas. There are an awful lot of issues that have to be mandated, where you don't need an awful lot of study on the issues. You try to keep a balance of the three different styles of management: autocratic, democratic, and laissez-faire. Basically your more balanced managers and leaders are usually those with a bit of all of those. There are times when you have to be an autocrat, though; no doubt about it.

**LEN:** How would you characterize the relationship between yourself and the police union?

**VINES:** Well, we have three different organizations here. We have the DPA, which is not a union at all, and it is the largest organization, with about 2,400 or 2,500 members. There's the Texas Police Officers Association, which is predominantly a black and minority association, and then we have the newly formed AFL-



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## The NYPD gets another well-traveled cop at the helm

Who will replace Benjamin Ward as head of the nation's largest police department? For at least the remainder of the year, that job goes to Ward's right-hand man, First Deputy Commissioner Richard Condon.

Condon, 53, is said to be a skillful diplomat and negotiator, and also has a reputation for being tough on corruption. In his current post, he has been responsible for the day-to-day operations of the department, including managing its budget and personnel and formulating disciplinary policy.

Condon was a 19-year veteran of the department when he stepped down as a deputy inspector in 1976 to become the director of investigations in the Office of the Special Prosecutor for Corruption in the Criminal Justice System in New York. He held that post until 1982, when Mayor Edward I. Koch named him as the city's deputy criminal justice coordinator. From 1983 to 1986 he was Commissioner of the New York State Division of Criminal Justice Services.

In 1986, he returned to the NYPD, at Ward's request, to become first deputy commissioner.

Condon has a bachelor's degree in English from Pace University and a master's degree in criminal justice from John Jay College of Criminal Justice.

In announcing Condon's appointment as head of the Police Department, Mayor Koch emphasized that Condon was not being named acting or interim commissioner. However, whether that appointment lasts beyond Dec. 31, when Koch's term ends, remains to be seen. Neither of the two major-party candidates for Mayor — David Dinkins, the Democrat, and Rudolph Giuliani, the Republican — has indicated publicly his plans for filling the Police Commissioner's slot.

Condon moved quickly to fill his own spot as First Deputy Commissioner, announcing one day after his own appointment that he had chosen Alice McGillion, who has been the NYPD's Deputy Commissioner for Public Information for the past nine years. McGillion will be the first woman ever to hold the number-two job in the department, and the first person in that position who has not spent any time in the uniformed ranks.

I got rhythm:

# Sleep, shift-work explored

Continued from Page 1  
who work evening shifts usually don't sleep until about three hours after completing the shift, said Czeisler. And since a worker on an evening shift doesn't usually have to return to his job until mid-afternoon, he will usually sleep through the morning.

"It's much easier to go from that kind of schedule, where you're already staying up half the night, to staying up all night," said Czeisler.

Czeisler said that another aspect to consider in redesigning work schedules in accordance with circadian rhythms is the length of time workers spend on a given shift. He noted that many departments, including Philadelphia's, require shift rotations every week, which is "very disruptive to the systems of the body that time the release of hormones, the daily variation in alertness and performance and other physiological functions that vary between day and night."

"Instead of rotating 50 or 60 times a year, as is common with most shift schedules, we don't think they should rotate more than 15 or 20 times a year," said Czeisler. He likened a frequent number of shift changes to "changing time zones or flying to Europe 20 times a year. Could you

imagine doing it 50 times a year?"

Similar to Jet Lag

The result, he said, is the same: The body experiences a run-down condition similar to jet lag because the frequent shift rotations don't give it a chance to reset its internal functions.

Czeisler said workers on rotating shifts, whose jobs are usually more taxing and stressful, are called upon to work more than a five-day week, "which makes no sense whatsoever."

"We're taking something which is physically more difficult and we're having them do it six or seven days in a row before they get a day off," Czeisler said. "So our recommendation is that they should certainly work no more than five days in a row. Since [police] work is physically more difficult than the average job, we think they shouldn't work more than four days in a row."

Implementing these kinds of changes in the schedule planning of the experimental Philadelphia police district resulted in improvements in productivity, reductions in sick time and increases in safety, Czeisler said.

"As soon as they were put back on their old schedule, the patrol car accident rate went back up over 40 percent," he noted.

Czeisler said that incidences of "nodding off" on the job also decreased, a development he said was critically important to the safety of police officers.

The Rhythm of Criminals

As part of his study in Philadelphia, Czeisler examined proportional staffing requirements. He found that there were seven times as many calls for service in the late evening hours as there were from 5 A.M. to 7 A.M., yet the department utilizes the same amount of manpower regardless of the levels of calls for service.

"Criminals are also subject to these same circadian rhythms," he said, "and they reach the low point of their activity at about the same time as the police do. The point is that it's ridiculous to have the same number of police on duty at all hours of the day or night when the demand for service varies so permanently with the time of day."

Czeisler advocates the use of some type of proportional staffing because he said "it minimizes the number of police on duty at the times that are physiologically the most disruptive." It's an option that is open to police agencies, yet one that few take advantage of.

"It's a tremendous waste of

Continued on Page 22

## Law Enforcement News

Vol. XV, No. 291

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April 30, 1989

Prior restraints:

### Police recruiting collides with criminal records

By Jacob R. Clark

When convicted rapist David Cabell, a 31-year-old criminal justice student at Lake Superior State College in Sault Ste. Marie, Mich., told Alger County Judge Charles Stark that he applied to become a police officer some day, the judge said the conviction under the state's youthful offender provision.

Instead of the minimum five-year prison term he could have received, Cabell was sentenced to three years probation, after which his conviction will be expunged from state criminal records. The judge's decision, which is being appealed by local prosecutors, allows Cabell to keep alive his dream of becoming a law enforcement officer.

In Alabama, meanwhile, a Federal judge ruled last year that state laws barring from law enforcement work all felons and those convicted of misdemeanors involving violence or moral turpitude had an adverse impact on blacks. In his January 1988 decision, Judge U. W. Clemon ordered the state to "cease shielding by the statute which barred the hiring of persons based on arrest and conviction records."

Under a stay of the judgment pending appeal, the State of Alabama continues to disqualify felons from law enforcement careers. Cabell, who was convicted of felonies and certain misdemeanors.

As a general rule, convicted felons are barred from becoming law enforcement officers in the United States. But as the two cases above suggest, challenges and exceptions to this practice are possible — even likely. And law enforcement agencies tend to have broad latitude in deciding what allowances are made for applicants with criminal records.

Indeed, the issue of criminal records among those seeking to become police officers may loom even larger in coming years.

**What They Are Saying:**

"For as long as I can remember they have been talking about what the hell is moral turpitude!"

Bill Wolfe of the Police Applicants Screening Service, on a Florida offer to define "good moral character" for applicant investigations. (6:3)

### Should ex-felons be allowed as cops?

especially if arrest rates continue to climb and pool of qualified candidates start to shrink. The 1988 Uniform Crime Reports showed more than 12.7 million arrests in the United States in 1987, approximately two-thirds of which were of persons up to age 35 — the primary pool of law enforcement recruits.

Some criminal justice experts feel that such a scenario may force departments to admit recruits with misdemeanor convictions that might have disqualified them in the past. The urgency of some departments to recruit, they say, will be compounded by the need to hire massive numbers of police officers to replace those rapidly approaching retirement eligibility.

Agency Heads See Problems  
"It's more difficult to bring people into police now for a variety of reasons," said Darrell Stephens, executive director of the Police Executive Research Forum. He pointed to a 1986 PERF study in which 55 percent of the 100 responding agencies noted difficulty in attracting recruits. While prior drug use was the reason most often given by police administrators to deny applicants jobs, many cited theft and other past crimes as reasons for disqualifying applicants — and thus shrinking an already thin recruiting pool.

I suspect that if we did this again, we would find a lot more problems today than we did then. Stephens told LEN.

Reacting to Judge Clemon's controversial ruling, James Jackson, director of the Alabama Peace Officers' Standards and Training (POST) Commission, concluded that the commission does scrutinize closely any con-

victions involving force, violence or moral turpitude, as defined in previous court rulings. But, he added, the state has never discriminated against an applicant because of race or hair color. It has only rejected an applicant based solely on an arrest record.

Without a stay of the judge's ruling, Alabama would have been legally unable to deny a job to an applicant based on a felony conviction, Jackson said, adding that such a stipulation would have stood at odds with Federal statutes prohibiting felons from carrying firearms. Yet the ruling does have some significant implications for agencies that formulate hiring standards for law enforcement.

Jackson said that if localities were forced to hire someone with a conviction for a violent crime and that person subsequently perpetrated an act of violence, the locality that employed him would be liable.

"Then what we would say is the blood is on the court's hands," Jackson said.

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### Sending out for reinforcements

National Guard called in to aid nationwide anti-drug efforts

division law enforcement.

While the Guard has been involved in a state level in drug law enforcement since 1977, and on a Federal level since 1983 using training funds, what's new about the current program — which has been designed through September — is that "it was actually funded specifically for drug law enforcement. Yet the 1989 legislation bill," said Maj. Robert Dunlap, a National Guard spokesman.

The result, Czeisler said, is that the National Guard is now being used in a way that was not intended when the law was passed. The appropriations vary from state to state, said Dale Deane, Department spokesman.

More Funding to Border States  
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David Soper, depending upon the type of place submitted to fight drugs and the extent of smuggling problems. Predictably, border states like Florida, Louisiana, Texas and California, and cities with highly publicized drug problems like Washington, D.C., have received the biggest share of the total appropriation. A total of \$300 million has been earmarked for this fiscal year to increase the role of the military in the campaign against illegal drugs.

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# Jobs

**Police Officers.** The Madison, Wisc., Police Department is accepted applications for entry-level police officers for an expected early 1990 hiring data. The department is committed to employee involvement in decision-making, quality improvement, problem-solving, and community-oriented policing.

Past successful candidates have come from a variety of previous careers and backgrounds, but nearly all have significant educational and/or life experience. Many have previously worked in teaching, social service, business, law enforcement, or a variety of other professions. Salary begins at \$21,388 (1989 contract) and increases to \$25,403 after six months. Current officers with 3½ years of employment and an undergraduate degree can earn \$32,400 base salary due to educational incentive.

Applications are available from the Madison Police Department, 211 South Carroll Street, Madison, WI 53703. (608) 266-4022. EOE.

**Police Officers.** The Iowa Department of Public Safety is offering qualified candidates a variety of interesting and rewarding careers as state troopers, Capitol police officers, fire prevention inspectors, and special agents.

Classes for the 1990 basic academy are soon to be filled. For details about qualifications and training, contact the Office of Employee Services, Iowa Department of Public Safety, Wallace State Office Building, Des Moines, Iowa 50319, or call (515) 281-5639, 8 A.M. to 4:30 P.M., Monday through Friday. Application deadline is Dec. 23, 1989. AA/EOE.

**Police Chief.** Cooper City, Fla., a community of 18,000 residents, is seeking an individual to head a department of 54 employees with an annual budget of approximately \$2 million.

Candidates must have a bachelor's degree in public administration or law enforcement-related field, plus 10 years experience in a command position of

a police department. Consideration given to graduate degrees. Candidates should show evidence of skills in human relations, budgeting, training and leadership.

Salary range is \$41,415 to \$57,090, depending on experience and education. To apply, send resume to: City Manager, Cooper City Hall, 9090 S.W. 50th Place, Cooper City, FL 33328. Applications accepted until Dec. 15, 1989.

**Police Chief.** West Linn, Ore., a growing residential community in the Portland metropolitan area, is seeking an experienced police administrator who can lead the Police Department through a team environment that reflects respect for individuals and encourages creativity and professionalism.

Minimum qualifications for the position include any combination of education and experience equivalent to a bachelor's degree in a related field plus five years of progressively responsible experience in police services, with three years in a senior-level administrative position. M.P.A. or the equivalent desired. The position requires the ability to present technical and persuasive oral and written communications. Candidates must possess demonstrated interpersonal skills.

Salary is \$3,766 per month (negotiable), plus 3 percent deferred compensation. To apply, send resume to: City of West Linn, 22825 Willamette Drive, West Linn, OR 97068. Deadline is 4:30 P.M., Nov. 13.

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## CHIEF OF POLICE NILES, MICHIGAN

The City of Niles, a community of 13,000 residents in southwest Michigan, is accepting applications for a professional police manager to lead a department of twenty (20) sworn officers and seven (7) civilians, with an annual budget of \$1.3 million. The Chief of Police reports directly to the City Administrator.

This position will require an individual with extensive leadership, management, and interpersonal skills necessary to build teamwork in the Department and support in the community. A Bachelor's degree in Criminal Justice, Public Administration, or related field is preferred. Applicants should have ten or more years of progressive experience in law enforcement, including five years in a command position. Salary is \$40,000 per year with a comprehensive benefits package.

Please send resume, references, and salary requirements to:

Bernard Van Osdale  
City Administrator  
508 East Main Street  
Niles, MI 49120

Deadline for applications is October 27, 1989, unless extended at the option of the City. Niles is an equal opportunity employer.

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## Redesigned shift plan under scrutiny in Phila.

Continued from Page 1

to the previous two-year average:

¶ Sleeping pills and alcohol were used less frequently by officers experiencing sleep deprivation;

¶ Officers' families reported a fivefold increase of satisfaction with their work schedules;

¶ Twice as many officers preferred the new schedule to the old one.

Whatever the benefits of the revised schedules, though, Czeisler's plan for departmental staffing and scheduling is now tied up in arbitration because the city has objected to the 17 extra days off each year that the plan would provide, according to Kenneth Rocks, a vice president of the local Fraternal Order of Police who is in charge of the negotiations. The union supports Czeisler's plan, Rocks added, because it represents a healthier approach to shift scheduling.

"Right now we work a rotating shift — six days on, two days off," he told LEN. "We rotate against the clock, and every week we change shifts. According to the studies that Dr. Czeisler did, the shift that we work is a killer. It's the worst possible thing for a body to do, to work the way we work."

The city agrees that the present shift schedule is unhealthy, he added.

Frank Costello, the FOP's president, said the organization is fighting "avidly" for the plan. He said the plan is "certainly head and shoulders above the schedule we're now working." The city has offered a proposal calling for a midnight to 8 A.M. shift, with the other two shifts alternating from

day shifts to evenings, he said.

"The city simply threw it on the table and never sought to explain it. So right now, Czeisler's proposal is the only viable alternative that's been offered by either side," Costello observed.

Hearings on the issue ended Sept. 19, and the arbitrators are now in executive session. Costello could not say when a decision might be reached, but he noted that the arbitrator's ruling will be final and binding.

## Researcher links police shifts and health concerns

Continued from Page 1

manpower to have people there when they're not needed and then to have not enough people there when they're needed most," said Czeisler, who added that the manpower shortages faced by many departments "make it all the more important to utilize the people that they do have most effectively."

Police departments are apparently beginning to take a hard look at their scheduling plans, largely because of the findings of researchers like Czeisler. "They are recognizing that these shifts are inappropriate and deleterious for the men's health as well," he said.

Czeisler said that because of the "consistent disruption of work schedules" police officers suffer from a variety of long-term health consequences, including higher rates of cardiovascular disease, gastrointestinal disorders, sleep disorders, and increased use of alcohol.



## POLICE OFFICERS WANTED

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# Upcoming Events

## NOVEMBER

- 15-16. **Dispatcher Stress & Burnout Reduction.** Presented by the University of Delaware.
- 15-16. **Occult & Satanic Crime Investigation.** Presented by the University of Delaware. To be held in Florence, S.C.
- 15-16. **Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Charleston, W. Va.
- 15-17. **Victims of Crime: Improving the Criminal Justice System's Response.** Presented by the Virginia Department of Criminal Justice Services. To be held in Virginia Beach, Va. Fee: \$135.
- 18-17. **Drug Interdiction.** Presented by the University of Delaware. To be held in Ocean City, Md.
- 18-17. **Middle Eastern Terrorism.** Presented by Richard W. Kobetz & Associates. To be held in Las Vegas. Fee: \$350.
- 16-17. **Burglary Investigation.** Presented by the University of Delaware. To be held in Wilmington, Del.
- 17-19. **Victims' Rights: Opportunities for Action.** Presented by the National Victim Center. To be held in Milwaukee, Wisc. Fee: \$25.
- 19-21. **Street Survival '89.** Presented by Calibre Press. To be held in Springfield, Mass. Fee: \$125 (all three days); \$95 (first two days only); \$65 (third day only).
- 27-28. **Supervisory Principles within Communication Centers.** Presented by the University of Delaware. To be held in Florence, S.C.
- 27-28. **Interviewing the Sexually Assaulted/Abused Child.** Presented by the University of Delaware. To be held in Wilmington, Del.
- 27-28. **Police Use of Force.** Presented by the University of Delaware. To be held in Wilmington, Del.
- 27-29. **Occult Crimes: Reduction & Detection.** Presented by the National Crime Prevention Institute. Fee: \$265.
- 27-29. **Developing Policies, Procedures & Rules.** Presented by the International Association of Chiefs of Police. To be held in Las Vegas. Fee: \$350 (IACP members); \$400 (non-members).
- 27-30. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in

Washington, D.C. Fee: \$500.

- 27-Dec. 1. **Crime Prevention through Environmental Design.** Presented by the National Crime Prevention Institute. Fee: \$345.
- 27-Dec. 15. **Command Training Program.** Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.
28. **Lighted Entry Assault Dynamics (LEAD).** Presented by Executec International Corp. Fee: \$95.
- 28-29. **Drug Investigations.** Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$195.
- 28-30. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Boston. Fee: \$495.
- 28-30. **Street Survival '89.** Presented by Calibre Press. To be held in Amarillo, Tex. Fee: \$125 (all three days); \$95 (third day only); \$65 (third day only).
- 28-30. **Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Cherry Hill, N.J.
- 28-30. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in New Orleans. Fee: \$495.
- 29-30. **Probable Cause & Search & Seizure.** Presented by the University of Delaware. To be held in Wilmington, Del.
- 29-Dec. 1. **The War Against Ourselves: Addiction & Violence.** Presented by Community Program Innovations. To be held in Boston.

## DECEMBER

- 4-5. **Interviewing Victims & Witnesses.** Presented by the University of Delaware. To be held in Vero Beach, Fla.
- 4-5. **Hostage Negotiations.** Presented by Richard W. Kobetz & Associates. To be held in Winchester, Va. Fee: \$350.
- 4-5. **Public Safety Radio Dispatchers' Seminar.** Presented by the University of Delaware. To be held in Mt. Lebanon, Pa.
- 4-6. **Becoming a High-Performance Supervisor.** Presented by the International Association of Chiefs of Police. To be held in Orlando, Fla. Fee: \$350 (IACP members); \$400 (non-members).
- 4-6. **Terrorism: Prevention, Planning &**

- Preparing.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$345.
- 4-6. **Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Baltimore, Md.
- 4-6. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Indianapolis. Fee: \$495.
- 4-6. **Crime Analysis II.** Presented by the International Association of Chiefs of Police. To be held in Dallas. Fee: \$350 (IACP members); \$400 (non-members).
- 4-6. **Solutions for Substance Abuse in the Workplace.** Presented by the American Society for Industrial Security. To be held in Tampa, Fla. Fee: \$340 (ASIS members); \$435 (non-members).
- 4-6. **Police Discipline & Labor Problems.** Presented by Americans for Effective Law Enforcement. To be held in Las Vegas. Fee: \$449.
- 4-7. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in Miami, Fla. Fee: \$500.
- 4-7. **The Investigation & Prosecution of Complex Narcotics Cases.** Presented by Washington Crime News Services. To be held in San Diego. Fee: \$395.
- 4-7. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Chicago. Fee: \$550.
- 4-8. **Hazardous Material Transportation Management.** Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$450.
- 4-8. **Police Internal Affairs.** Presented by the University of Delaware. To be held in Wilmington, Del.
- 4-8. **Physical Security.** Presented by Executec International Corp. To be held in Washington, D.C. Fee: \$675.
- 4-8. **Advanced Supervision Skills.** Presented by the International Association of Chiefs of Police. To be held in West Palm Beach, Fla. Fee: \$450 (IACP members); \$500 (non-members).
- 4-15. **Traffic Accident Reconstruction I.** Presented by the Traffic Institute. Fee: \$700.
- 6-7. **Dispatchers' Stress & Burnout Reduction.** Presented by the University of

- Delaware. To be held in Mt. Lebanon, Pa.
- 6-7. **Executive/VIP Protection.** Presented by Richard W. Kobetz & Associates. To be held in New Orleans. Fee: \$350.
- 6-8. **Management of the Telecommunications Function.** Presented by the International Association of Chiefs of Police. To be held in Phoenix. Fee: \$350 (IACP members); \$400 (non-members).
- 7-8. **Interviewing Victims & Witnesses.** Presented by the University of Delaware. To be held in Hanceville, Ala.
- 7-8. **Improvised Explosive Devices & Booby Traps.** Presented by Executec International Corp. Fee: \$250.
- 7-8. **Practical Law & the Security Manager.** Presented by the American Society for Industrial Security. To be held in Tampa, Fla. Fee: \$305 (ASIS members); \$395 (non-members).
- 11-12. **Drug & Narcotics Investigations.** Presented by the University of Delaware. To be held in Hanceville, Ala.
- 11-12. **Interviewing the Sexually Assaulted or Abused Child.** Presented by the University of Delaware. To be held in Charleston, W. Va.
- 11-12. **Use of Force.** Presented by the University of Delaware. To be held in Hagerstown, Md.
- 11-12. **Public Safety Radio Dispatchers' Seminar.** Presented by the University of Delaware. To be held in Winston-Salem, N.C.
- 11-12. **Management of a Detective Unit.** Presented by the University of Delaware. To be held in Hanceville, Ala.
- 11-13. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Hartford, Conn. Fee: \$495.
- 11-13. **Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Braintree, Mass.
- 11-13. **Supervision & Management of Drug Investigations.** Presented by the Narcotics Control Technical Assistance Program. To be held in Clearwater, Fla. No fee.
- 11-13. **Police Records Management.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C. Fee: \$350 (IACP members); \$400 (non-members).
- 11-13. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Washington, D.C. Fee: \$495.
- 11-13. **Occult & Satanic Crime Investigation.** Presented by the University of Delaware. To be held in Worcester, Mass.
- 11-13. **High-Risk Warrant Service.** Presented by Executec International Corp. Fee: \$300.
- 11-14. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in Newark, N.J. Fee: \$500.
- 11-15. **Planning, Design & Construction of Police Facilities.** Presented by the International Association of Chiefs of Police. To be held in San Diego. Fee: \$495 (IACP members); \$545 (non-members).
- 11-15. **Advanced Police Interview & Interrogation Techniques.** Presented by the Traffic Institute. Fee: \$450.

- 11-15. **Criminal Justice Use of Microcomputers & Databases.** Presented by the Southeast Florida Institute of Criminal Justice. To be held in Miami, Fla. Fee: \$270.
- 11-15. **Police/Medical Investigation of Death.** Presented by the International Association of Chiefs of Police. To be held in Miami, Fla. Fee: \$495 (IACP members); \$545 (non-members).
- 12-13. **Fire & Arson Investigation.** Presented by the University of Delaware. To be held in Wilmington, Del.
- 12-13. **Liability in Police Training.** Presented by the Criminal Justice Institute, St. Petersburg Junior College. To be held in Treasure Island, Fla. Fee: \$215.
- 12-13. **Contemporary Terrorism.** Presented by Richard W. Kobetz & Associates. To be held in Baltimore, Md. Fee: \$350.
- 13-14. **Probable Cause/Search & Seizure.** Presented by the University of Delaware. To be held in Hagerstown, Md.
- 13-14. **Drug Interdiction.** Presented by the University of Delaware. To be held in Hanceville, Ala.
- 13-14. **Dispatchers' Stress & Burnout Reduction.** Presented by the University of Delaware. To be held in Winston-Salem, N.C.

## Law Enforcement News

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Association of Police Planning & Research Officers, Attn: Marcia Simmons, Conference Coordinator, Scottsdale Police Department, 9065 East Via Linda, Scottsdale, AZ 85258. (602) 391-5093.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (312) 498-5680.

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Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, 1110 N. Glebe Rd., Suite 200, Arlington, VA 22201. (703) 243-6500.

Richard W. Kobetz & Associates Ltd., Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Laboratory for Scientific Interrogation, P.O. Box 17286, Phoenix, AZ 85011. (602) 279-3113.

Narcotics Control Technical Assistance Program, Institute for Law & Justice Inc., 1018 Duke St., Alexandria, VA 22314. 1-800-533-DRUG.

National Crime Prevention Institute, Shelby Campus, University of Louisville, Louisville, KY 40292. (502) 588-6987.

National Criminal Justice Computer Laboratory & Training Center, Attn: Jim Zepp, 555 New Jersey Ave. N.W., Washington, DC 20001. (202) 638-4155.

National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-5500.

National Victim Center, 307 W. 7th St., Suite 1001, Fort Worth, TX 76102. (817) 877-3355.

New England Institute of Law Enforcement Management, Babson College, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 239-7033, 34.

Pennsylvania State University, Police Executive Development Institute, 102 Waring Hall, University Park, PA 16802. (814) 863-0262.

John E. Reid & Associates Inc., 250 South Wacker Dr., Suite 1100, Chicago, IL 60606. (312) 876-1600.

Southeast Florida Institute of Criminal Justice, Miami-Dade Community College, 11380 N.W. 27th Ave., Miami, FL 33167. (305) 347-1329.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (214) 690-2370.

Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

University of Delaware, Attn: Jacob Haber, Law Enforcement Training Program, 2800 Pennsylvania Ave., Wilmington, DE 19806. (302) 573-4487.

University of Oklahoma Continuing Education & Public Service, 1700 Asp Ave., Norman, OK 73037. (405) 325-2248.

Virginia Department of Criminal Justice Services, Attn: Mandie Patterson, (804) 786-4000.

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October 15, 1989

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| Berkeley residents, under siege by drug dealers and users, sue their landlord, win, and start to win back their block | 1   | Griffin, La., police put drug dealers on notice -- in VERY LARGE type                                      | 10 |
| Tennessee sheriffs push the Legislature to enact mandatory minimum qualifications for office                          | 4   | FBI agent peers into the future, and offers a gloomy report for policing                                   | 10 |
| An investigation of suspected drug-money skimming in the Los Angeles sheriff's office may widen                       | 4   | Beset by allegations of brutality, the Chicago PD hopes the local U.S. Attorney will provide a clean slate | 10 |
| Ben Ward calls it a career as head of the New York City Police Department; his top aide will succeed him              | 5   | New police powers in Indiana to arrest those who violate protective orders for abused spouses              | 11 |
| People & Places: Sly Stallone's buddy, Tony Schembri, ex-FBI agent sentenced; long-distance lifesavers                | 6,7 | Forum: In an era of abundant new technologies for policing, it might do well to tread cautiously           | 12 |
| Supreme Court Briefs: Justices take a close look at a variation on the Miranda warnings                               | 8   | Interview: Chief Mack M. Vines of the Dallas Police Department, on his role as change-agent                | 13 |